



Printed for S. Lowndes, and A. & J. Churchill.

A
CONTINUATION
OF THE
Complete History
OF
ENGLAND:
CONTAINING
The LIVES and REIGNS
OF
Edward I. II. & III.
AND
Richard the Second.

By ROBERT BRADY, *Doctor in Physic.*

In the SAVOY,

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History of England, &c.

King EDWARD the First.

King Henry the Third died on the 16th of November, 1272. and was buried at *Westminster* the 20th of the same Month; and so soon as he was buried, *John* Earl of *Waren*, and [1] *Gilbert* Earl of *Glocester*, with the *Clergy* and *Laity*, went to the great Altar, and *swore Fealty* to his First-born Son *Edward*, who was then in the Holy Land, not knowing whether he was living; afterward the Nobility of the Nation met at the New Temple, London, and a new Seal having been made, they appointed faithful Ministers and Guardians that might keep the King's Treasure, and the Peace of the Kingdom. Postmodum ad novum Templum Londini nobiliores Regni pariter convenerunt. & facto sigillo novo constituerunt fideles ministros & custodes qui thesaurum Regis, &c.

D These Guardians were, *Walter Giffard* Arch-Bishop of *York*, *Edmond Plantagenet*, Son to *Richard Plantagenet* Brother to King *Henry* the Third Earl of *Cornwal*, and *Gilbert de Clare* Earl of *Gloucester*, who entred upon the Exercise of the Government, by the Advice and Appointment of the Nobility, without any possible Privy or Knowledge of the King; yet all the Writs, Proclamations, and Instruments concerning the Government were Issued in the King's Name; as appears by the [2] Writ directed to all the Sheriffs in England, to proclaim the King's Peace throughout their whole Counties in all Cities, Burghs, Fairs, Mercates, and other Places: Which was in this Form; *Edward* by the Grace of God King of England, Lord of Ireland, and Duke of Aquitan, &c. Whereas our Father King *Henry* of Famous Memory being Dead, the Government of the Kingdom is come to us by Hereditary Succession, &c. We command the, &c. Witness, *W.* Arch-Bishop of *York*; *Ed.* of *Cornwall*, and *G.* of *Glocester*, Earls; at *Westminster* the 23d of November, in the First Year of Our Reign: But three Days after the Interrment of his Father.

There was also a Writ of almost the same Tenor in the King's Name, directed to the Abbats of *Dore* and *Hagenham* to Receive the Oath of Fidelity from [3] *Leulin* Son of *Griffin* Prince of *Wales*: Dated by the Hand of *Walter de Merton*, then Chancellor, (and

[1] Mat. Westm. fol. 401. n. 40. 50. A.D. 1272.

The Nobility and Clergy swear Fealty &c. &c. I. when beyond Sea, after the Death of his Father, and appoint Guardians of the Kingdom.

The Guardians Names. They enter upon the Government; all Writs and Instruments issued by them in the King's Name.

[2] Append. n. 1. A Writ to proclaim the King's Peace.

[3] Append. n. 2. Leulin, Prince of Wales summoned to take the Oath of Fealty.

The Reign of King Edward I.

(and at least a great *Assisant* to the *Guardians*) on the 29th of *November*, in the First Year of Our Reign; but he *appeared* not, nor sent any *answer* to the *Abbats*, as by the Return from them, and the *Constable* of *Montgomery* Castle annexed to the Writ it self, is manifest.

Writs likewise for keeping the Peace in *Ireland*, were Directed [4] to *Maurice Fitz-Maurice*, Justiciary of that Nation, *inbibiting* all under the Pain of Life and Member, and *Disheriting*, That they presumed not to infringe the Publick, or King's Peace, with *Promise* to *Maintain* all People of that Land in their *Rights*, *Goods*, and *Estates*, and do them full Justice against great and small; [5] With Command to the *Arch-Bishops*, *Bishops*, *Abbats*, *Priors*, *Earls*, *Barons*, *Knights*, and *Freemen* of *Ireland*, to take the *Oath* of *Fidelity* before Commissioners there appointed. Both these Records Dated by the Hand of *Walter de Merton*, Chancellor, on the 7th day of *December*, at *Westminster*.

Besides these, they Issued other *Writs* in the King's Name, one for *Assessing* of [6] *Tallage*, dated Jan. 27. and to the [6] Sheriff of *Surry* and *Sussex*; another to raise the *Posse Comitatus*, for suppressing the Rabble, who were up there, Plundering, Robbing, and Murdering the King's Subjects, dated the 6th of *June*, both in his First Year; so that they took upon them the Whole Administration of the Government in his absence: and he was so far eased with the Proceedings of his Chancellor, (especially against the Bishop of *Carlisle* for Excommunicating the Sheriff of *Cumberland*, because he [7] Distrained the Goods of an Abbat in his Diocese for the King's Debt, prohibiting him to put in Execution the Excommunication, or Prosecute him in Court Christian, for that the Correction and Pleas concerning the Transgression of the King's Officers belonged to himself, according to the Custom of the Kingdom) that he wrote him a Letter of [8] Thanks when he was acquainted with them, for his Diligence in the Dispatch of his, and the Kingdom's Business, Directing and Encouraging him to go on as he had begun, promising to Ratify whatever he should do in Ways of Justice, Commanding him not to spare any of what State or Condition forever, but to proceed against them by Rigor of Justice, if otherwise he could not restrain their Excesses. This Letter is dated August the 9th, in the First Year of his Reign, at *Melun*, upon the River *Seyn* in *France*.

Upon the News of his Father's Death he set all things in order, and disposed them as well as he could, and came from the Holy Land into *Sicily*, and was received by the [9] King thereof with great Honour, who Conducted him to the Roman Court, where he spent some time with Pope Gregory the Tenth, his Friend, Familiar, and Acquaintance in the Holy Land; From thence he passed into *Burgundy*, where at the foot of the Mountains, some English Bishops, Abbats, Earls, and Barons met him, from whence he came into *France*, where he was Honourably received by King Philip the Hardy his Cousin German, and did Homage to him for the Hereditary Lands he held of him, who thereupon granted him the possession of them.

After

[4] Pat. 1 Ed. I. Part. 2. M. 20. De Conseru. time pacis in Hibernia.
A Writ for the Conseruation of the Peace in Ireland.
[5] Ib. M. 20. De fidelitate, Archiepiscoporum, Episcoporum, &c. Regi facienda.

[6] Append. n. 3. +. A Writ to the Sheriff of Surry and Sussex, to Suppress the Rabble, and Plunders.

[7] Bondell. Breu. 1 Ed. I. n. 14. in the Tower.

[8] Append. n. 5.

[9] Mat. West. 403. n. 10. 20. 30. 40. 50. The King came from the Holy Land into Sicily, from thence to Rome, and so into France, where he did Homage to that King for Aquitan.

The Reign of King Edward I.

After this he took his Leave of the King and Peers of *France*, [1] and went into *Aquitan* to Receive the Homage and Service of his Vassals there, in which he found much difficulty from several that Refused to do their Feudal Duties to him, but chiefly from [2] *Gaston Monaco Viscount of Bearn*, who because a Predecessor or two had done Homage and Sworn Fidelity to the King of *Aragon*, and he had been much obliged to *Alphonso* the Second then King, denied his Homage; King Edward seized upon his Person, and kept him Prisoner among his Retinue, from whence making his Escape, he was driven out of his Country; And upon an Appeal to King Philip, as Sovereign Lord of *Aquitan* or *Guyenne*, in favour of King Edward, He compelled *Gaston* to hold his Lands of him.

In the Second year of his Reign, having settled his Affairs beyond Sea, [3] he took Ship at *Bologn* in *Picardy*, and landed in *England* on the 25th of *July*; At his landing *Gilbert Earl of Gloucester*, and *John Earl of Warren*, received him more Honourably than other Nobility, conducting him to their Castle of *Tonbridge* in *Kent*, and *Rigate* in *Surry*, where they Treated and Feasted him with great Jollity many days. On the 19th of *August* he and his Queen *Eleanor* were [4] Crowned at *Westminster* by *Robert Kilwarby* Arch-Bishop of *Canterbury*, *Alexander* King of *Scots*, and *John Duke of Britan*, being present.

Toward the middle of *October* following, he issued out [5] Writs of Inquiry by the Oaths of Twelve Legal Men, to Two Commissioners in every County, to Inquire what his Royalties, and the Liberties and Prerogatives of his Crown were, who were his Tenants in Capite, and Military Service, and how many, and what Fees they held of him; Of his Tenants in Ancient Demeasns, how they had behaved themselves, and in what Condition their Farms were; Of Sheriffs, Coroners, Escheators, Bayliffs, and their Clerks, whether they had Extorted Money from any Man, by reason of their Office, had Wronged any Man, or Received Bribes for Neglecting, or being Remiss in their Offices, &c. The whole Inquiry containing 34 Articles.

About the beginning of *November* the King of *France* sent to the King of *England*, to [6] appear in his Parliament to be holden on the Morrow of the Quindene of the Feast of *St. Martin* in *Winter* (that is *November* 26.) to be at the Tryal of a Case between *Robert Duke of Burgundy* on the one part, and *Robert Earl of Nevers*, and *Tobend his Wife* on the other part, concerning the Dukedom of *Burgundy*, and the Appurtenants. Who by reason of his Weighty Affairs in his own Kingdom, sent *Maurice de Credence*, *Otto de Grandison*, and *Roger de Cliff*, to make his Excuse, with his Commission or Letter of *Credence*, dated at *Westminster*, *November* 11. He was summoned as a Peer or great Vassal of *France*.

By his Writ dated at [6] *Woodstock* the 27th of *December* following, he Prorogues his General Parliament he propounded to have

[1] Ib. n. 10. 403. n. 10. A. D. 1273. He receives the Homage and Service of his Vassals there.
[2] Ib. n. 20. and Mezer. Fr. Hist. 315. A. D. 1273. The Viscount of Bearn denies his Homage. He is forced to do it.

[3] Mat. West. 407. n. 20. A. D. 1274. The King comes for England.

[4] Ib. n. 30. He and his Queen Crowned at Westminster.

[5] Pat. 1 Ed. I. M. 6. He makes inquiry after the Rights of his Crown, his Military Tenants, and Civil Officers, &c. whether they had done their Duties.

[6] Append. n. 6. A. D. 1275. The King summoned as a Peer of France.

He sends his Excuse.

[6] Cl. 3. Ed. I. M. 21. Dors. A. D. 1275. The Parliament Prorogued before meeting.

have holden 15 days after the Purification, to the Morrow of the Octaves of Easter. *Quia Generale Parliamentum nostrum, Quod cum Prelatis & Magnatibus Regni proposuimus habere London, ad Quindenam Purificationis Beate Marie Virginis proximo futur. Quibusdam certis de causis prorogauimus usque in Crastinum claus. Pasche proxim. sequent. &c. Teste Rege apud Woodstock 27 die Decemb. Directed to Robert Arch-Bishop of Canterbury.*

In which Parlement holden upon the Monday after Easter in the year 1276, he made Excellent Laws both for Church and State, and for the Ease and Benefit of both. The Preamble whereof here follows. [7] These be the Acts (in French, the Establishments) of King Edward, Son to King Henry, made at Westminster, at his first Parlement General, after his Coronation on the Monday of Easter Week, (in French, on the Morrow of the Close of Easter, which was the same day) the 3d year of his Reign, By his Council, and by the Assent of Arch-Bishops, Bishops, Abbots, Priors, Earls, Barons, and all the Commonalty of the Realm, being thither summoned, because our Sovereign Lord the King had great Zeal (in the French, Will) and Desire to Redress the State of the Realm, in such things as required Amendment, for the common Profit of Holy Church and the Realm, and because the State of the Realm, (so in the French) and of Holy Church, had been evil kept, and the Prelates and Religious People of the Land, grieved many ways, and the People otherwise intricated then they ought to be, and the Peace less kept, and the Laws less used, and the Offenders less punished then they ought to be, by reason whereof the People of the Land feared the less to offend; The King hath Ordained and Established these Acts, (in the French, Things) underwritten, which he intendeth (in the French, understanding) to be necessary, and profitable for the whole Realm.

First, the King Willeth and Commandeth. That the Peace of Holy Church, and of the Land, be well kept and maintained in all Points, and that common Right be done to all, as well Poor as Rich, without Respect of Persons. This Statute is called Westminster the First, and contains 51 Chapters, and the 50th was, A [8] saving to the King of the Rights of his Crown, notwithstanding these Grants were made, to the Honour of God, and Holy Church, for the common Good of the People, and the Ease of such as were Grieved. Thomas Wikes says, this Statute was made by the Advice of the Lawyers, Jurisperitorum [9] Regni sui co-operante Consilio, by which he gained the Hearts and Affections of the Plebeians, Quo corda plebeie multitudinis, inestimabili sibi Dilectionis sinceritate conjunxit.

Toward the latter end of July [1] Gasto de Bearn. (before-mentioned) was sent to the King, by the King of France, who submitting himself, and giving Security, after a short Imprisonment, was permitted to go into his own Country.

About

[7] Stat. at Large, 3 Ed. I. A. D. 1276. Excellent Laws made both for Church and State.

With a saving to the King of the Rights of the Crown.

[8] In Tuet's Magna Charta 'tis Chap. 49. in Mag. Charta Printed 1602, 'tis Chap. 50. [9] Chronic. l. 102.

[1] Ib. f. 103. Gasto de Bearn submits himself.

About [2] Candlemas this year, Helionara, Daughter to Simon Montfort, who had been Contracted to Lewellin, Prince of Wales, in her Father's Life-time, was sent from France to be Married unto him, and taken in the Severn not far from Bristol, and imprisoned.

Nothing of Moment to be found from this time until after Michaelmas following, when there was a Parlement [4] holden, in which the Constitutions, called the Statute of Bigamy, that had been recited in the presence of certain Bishops of England, and other of the King's Council; at which time all the King's Council, as well Justices, as others, did agree they should be put in Writing, and published for perpetual Memory, and that they should be firmly observed, [5] were confirmed, or, as 'tis said in the Close of this Statute, were made. The Fifth Constitution, or Chapter of this Statute, from whence it hath its Name, was an Interpretation of the Sixteenth Canon of the Second Council of Lyons, holden on the First of May 1274, and the Second of this King under Pope Gregory X. in these Words; [6] Altercationis antiquæ Dubium, presentis Dubitationis Oraculo Decidentis. Bigamos omni privilegio Clericali Declaramus nudatos, & coercionis fori secularis addictos, consuetudine contraria non obstante. Ipsi quoque sub anathemate prohibemus Deferre Tonjuram vel habitum Clericalem. That is, in determining the old wrangling Question, we declare, that such as have been twice Married, are deprived of all the Privileges of Clerics, and left to Secular Jurisdiction or Coertion, any Custom to the contrary notwithstanding, and we forbid them under a Curse, either to be Shaven, or wear a Cleric's Habit.

Certain Prelates or Ordinaries, did take the meaning of this Canon to extend only to such as were Bigami, or had been twice Married after the making of it; and they claimed such as had been twice Married before that time, when they were Arraigned for Felony, and required to have them delivered to them, as such as ought to have the Benefit of Clergy. This Challenge produced the following Interpretation of the Canon concerning [7] Bigamists, whom the Pope in his Council of Lyons, deprived of all Privilege of Clerics, by a Canon therein made, seeing certain Prelates demanded such as had been so, before that Constitution, and were accused of Felony, to be delivered unto them as Clerics; It is Agreed and Declared before the King and his Council, that the Constitution be so understood, That those who were Bigamists as well before as after the making of it, for the time coming, should not be delivered to the Prelates, but should have Justice done them as Laymen.

In this Parlement, the Clergy and Laity Granted to the King a Fifteenth of all their Goods, but seeing [8] the Pope had ordained in the Council of Lyons, That the Tenth of all Ecclesiastic Revenues should be paid to the support of the Holy Land, and that the Clergy, had courteously given him and his Brother Two years Tenths since his Father's Death, he urged them not to pay this Fifteenth, but Treated with the Bishops, and greatest of them,

[2] Ib. f. 104. Simon Montfort's Daughter, and Prince Lewellin's wife, made Prisoner.

[4] Tuet's Mag. Charta, Printed 1576, p. 39. B. A. D. 1276. The Statute of Bigamy.

[5] Ib. in fine Statuti.

[6] Labbe, Tom. 11. Part. 1.

[7] Tuet's Mag. Charta ut supra, p. 40. a. b. The Reason of the Statute.

[8] Tho. Wikes's Chron. f. 103.

them, for a Voluntary Contribution as they should think fit ; What this Contribution or Aid was, 'tis not said, but it was not to be drawn into Example or Custom, as appears by the King's Protestation in his Letters.

[9] Pat. 4.
Ed. I. M. 6.
A. D. 1276.

Rex omnibus, &c. salutem [9] *Licet Comites, Barones, ac alii Magnates, & Communitas, regni nostri Quintam-decimam omnium Bonorum suorum, & etiam Venerabilis pater R. Cantuar. Archiepiscopus, & sui Suffraganei propter urgentia negotia nostra subsidium de Bonis suis nobis sponte & grato concesserunt, &c.* That is, the King to all, &c. Greeting. Whereas the Earls, Barons, other great Men, and the Community of our Kingdom, Granted us a Fifteenth of all their Goods, and the Venerable Father the Archbishop of Canterbury, and his Suffragans, for our urgent Occasions, on their own free Will and Courtesie, granted us an Aid of their Goods. We by these our Letters do *Protest*, That this Gift proceeded only from their free Good Will, and not in the Name of a Fifteenth, and that it shall not be urged as an Example, or as a Due, or Drawn into Custom by us, or our Heirs. Witness the King at Westminster the First of November.

[1] Mat. Welf.
E. 408. n. 10.
Lewlin Prince
of Wales re-
fuseth to come
to the Parle-
ment at W. B.
minster.

Lewlin Prince of Wales was [1] called to this Parlement, as he had been to others, but would not appear ; yet sent Messengers that he might have Peace, and for the Daughter of the Earl of Leicester, whom he intended to Marry, and to obtain this, offered a great Sum of Money. Which the King Refused, neither would he Consent to the Matrimony, unless he would Restore the Lands which he had seized and invaded in the Marches, to the just Proprietors, and Repair the Castles in England which he had destroyed. But the Prince not Complying with these Terms, he sent Forces to secure the Marches and English Borders from the Irruptions, Rapin, and Devastations of the Welsh, which proved not sufficient to restrain them, they still continuing their Invasions and Depredations upon the English. And therefore the King, in the Fifth year of his Reign, issued out his Writs, to all the Noblemen and others that held of him by Military Service, dated at [2] Windsor, December the 12th, for the Summoning his Army to meet at Worcester 8 days after St. John Baptist next coming, which were to this Effect.

[2] Rot. Sur.
E. Ed. I. M. 8.
A. D. 1277.

[3] Ibm.
The King
summons his
Army against
him.

A. D. 1278.

Whereas [3] Lewelin the Son of Griffin, Prince of Wales, and his Complices, our Rebels, have invaded our Lands, and the Lands of our Subjects in the Marches, and do daily invade them, and commit Murders and other Wickednesses, and the same Lewelin refuseth to obey us as he ought, to the great Prejudice and Contempt of us, and to the manifest Disinheritance and great Damage of you (the Person to whom the Writ was directed) and other of our Subjects, for which we have now caused our Army (Exercitum Nostrum) to be summoned, that it be at Worcester Eight days after St. John Baptist, to Repress the Rebellion of the said Lewelin and his Assistants. We Command you, to be ready with your Horses and Arms, and with your Service due to us, to go with us from thence against the foresaid Lewelin, &c.

With

With this Army the King marched from [4] Chester towards Wales ; in his way there was a great Wood, and so thick as his Army could not pass it ; part of which was cut down, and a very large and wide Way made into Lewelin's Country, where he Built the two Castles of Flint and Burdolan ; seized the Welshmen's Lands, and Goods, and wasted their Country, drove them into their usual place of Retreat, the Mountains of Snowdon ; and with the assistance of the Men of the Five Ports took the Isle of Anglesey.

The Prince of Wales finding himself not able to resist the Force of the English, desired Peace, which was [5] Granted unto him upon the following Articles.

1. That all English Prisoners should be Released freely, without claiming any thing from them.
2. That for this Peace, and the King's Good Will, he should pay at the King's pleasure, 50000 l. Sterling.
3. That Four Cantreds, and all the Lands Conquered by the English, (except Anglesey) should be and remain to the King and his Heirs for ever. And for Anglesey, the Prince was to pay to the King 1000 Marks every year. The first Payment to begin at Michaelmas then at hand ; and for his Ingress or Entry upon it 5000 Marks ; and if the Prince died without Heirs, the King to have the Possession of it.
4. That he should come into England to the King at Christmasts to do his Homage.
5. That all the Homages in Wales, should be to the King, except of Five Barons that lived in the Confinnes of Snowdon, because he could not be called Prince unless he had some Barons under him, for his Life, but after his Death, the Homages of those Five Barons, should remain to the King and his Heirs for ever.

For the Security and Observation of these Articles, he delivered to the King [6] Ten Hostages of the best Persons in Wales, without being restrained, or disinherited. And the best Men of every Cantred, and of Snowdon, by Consent of the Prince, were to swear upon the Holy Reliques, That whensoever the Prince broke any of these Articles, unless upon Admonition he corrected himself, they would Estrange themselves, (abalienarent se ab eo) and become his Enemies in all things they could.

Also, besides these things, [7] he was to satisfy his Brothers for the Injuries he had done them, they were Three, Owen, and Roderic, whom he had put into Prison, and David, whom he had forced to fly into England. The Lady as an Aid towards this War, [8] gave the King the 20th part of their Goods.

If the Reader desires to be better informed, or to see this Welsh Affair in a clearer light, let him look back into the Life of Hen. III. fol. 578, 579, 580. and fol. 663. D. E. F. &c.

Upon this Peace [9] Eleanor, the Daughter of Simon Montfort, was given in Marriage to Lewelin by the King, whose Prisoner

[4] The Wikes,
Chron. f. 105.
Flint and Bur-
dolan Castles
built.

Angls. taken.

[5] Walsing-
ton, f. 48. n.
10, 20.

Peace granted
to the Prince
of Wales, and
the Articles.

[6] Ibm.
Security for
the perform-
ance of Ar-
ticles.

[7] Ibm.

[8] Ibm. n.
20, 30.

[9] Ibm. n. 30.
Lewlin Marries
the Daughter
of Simon
Montfort.

soner she had been : The Solemnity was performed at his Charge, and He with his Queen was present at it.

[1] *Ibm.* n. 40. A. D. 1279. The Earldom of Pontieu the Inheritance of the Queen of England. [2] *Misc.* f. 319. A. D. 1279.

The King and Queen do Homage for several Countreys in France. The King gives up his Right in Normandy.

[3] *F.* 409. n. 20. Jews Hanged for Clipping and Counterfeiting the King's Coin. A. D. 1279.

[4] *Ibm.*

Preachers to Convert the Jews.

[5] *Pat.* 8. Ed. I. M. 27. A. D. 1280.

[6] *Ibm.* Part. I. M. 15. Dors orinus. Maintenance granted to the Converted Jews.

About this time [1] the Countess of Pontieu, the Queen's Mother, died, who had been Queen of Castile; whose Inheritance, the Earldom of Pontieu, descended to her Daughter; with whom the King passed the Seas about the Feast of *Ascension*, and was Honourably Received by his Cousin Philip King of France, and the most Powerful of his Kingdom, at Amiens, [2] who there received the Homages of the King and Queen of England, for the Countreys of Agenois, Limosin, Perigord, Xantoigne in Aquitan, and the Earldom of Pontieu in Picardy, and other Lands, and delivered unto them the Perpetual Possession of them. For this King Edward gave up all his Right in the Duchy of Normandy, only reserving 30 Livres of Paris, to be paid Annually out of the Exchequer.

It was in this year, that so great a number of Jews were Hanged and Fined for Clipping and Falsifying the King's Coin, as appears by some Writts about this Matter; tho' the Story is placed by *Mab.* Westminster in the year before. He says [3] in the Month of November all the Jews in England were taken and imprisoned in one day for Clipping and Counterfeiting the King's Money, who accused many Christians as guilty of the same Crime; They were Legally Tried and Convicted before Special Justices appointed for this Service, (viz. *Walter Helian* and *John Cobham*) as the Writts inform us, as *Pat. Roll.* 7. Ed. 1. M. 1. *de domibus Judeorum suspenforum vendendis*, for the Sale of the Jews Houses that were Hanged, as Elcheated; and *Pat.* 7. Ed. 1. M. 11. *de potestate vendendi Domus & Redditus Judeorum Dampnatorum*, Power given to sell the Houses and Rents of the Condemned Jews. Also *Pat.* 7. Ed. 1. M. 1. *de finibus a Judeis recipiendis*, for the Receiving Fines of the Jews, such as Compounded for their Felonies and Faults. [4] There were no less than 280 of both Sexes Hanged in London, and in other Cities of England, (*Maxima multitudo*) a very great number, besides such as were Fined.

The Friars Preachers in England, who desired to Preach to the Obstinate Jews, thereby to Convert them to the Christian Faith, and turn them from their Wicked Practices and Unbelief; applying themselves to the King, obtained a [5] Writ to all Sheriffs, Bayliffs, and other Liege People, to admonish and induce the Jews in all Places to come and hear their Preaching without Blaphemy or Disturbance, at such times as the Friars Preachers should direct. The Title of the Writ in the Margin of the Roll *De predicando Judeis*, about Preaching to the Jews. And to promote their Conversion, and for their Support when Converted, [6] the King granted, that toward their Maintenance they should have half the forfeited Estates of the Jews distributed for their Maintenance, and the other half should go to the House of Converts, (now the Rolls in Chancery-Lane, London) for the Support of Converts there; and further, that the Moiety of the forfeited Estates of the Jews, and all Deodands, be distributed in Alms according to the Patent *pro sustentatione Judeorum Converterum*, for the Sustentation of the Converted Jews.

Yet

Yet for all this Incouragement the Preachers made no Work of it, the Jews remained so still, they were the same Usurers, and Brothers, (accounted then Wicked People) as before, and the same Infidels; Only some Poor Jews, rather to get a Livelihood, then out of Affection to Christ or Christianity, pretended to be Converts; for about Ten years after they were all Banished the Kingdom, as appears by these Writts, *De Judeis Regno Anglie Executibus*, Of the Jews going out of England. *Claus.* 18 Ed. 1. M. 6. And *De passagio & conductu Judeorum Anglie*, for the Passage and Conduct of the Jews of England. *Pat.* 18 Ed. 1. M. 14.

In the Tenth of this King, [7] *Lewelin* Prince of Wales, and his Brother *David*, on Palm-Sunday night, surpris'd the Lord *Roger de Clifford*, the King's Justiciary there, killed many of his Servants, wounded, bound, and sent him Prisoner to the Mountain of *Snowdon*, committing great Ravages, killing the People, and destroying a great part of the Marches.

The King, scarce believing the News at first, upon better Information, sent the Barons of the Exchequer, and Justices of the Bench, (*Justiciarios de Banco*) to *Shrewsbury*, to put the Laws in Execution, and followed them with an Army, built a large Bridge over the River *Conwy* of Boats, or, as the Historian says, Ships, and possessed himself of the Country about *Snowdon*, and gave many Shares of those Lands to his Barons, and others that had faithfully assisted him. Over this Bridge many of the Nobles of the King's Army passed out of *Anglesey* to view and observe the Country, who affrighted with the Multitude and Clamour of the Welsh coming upon them, hasting to return from whence they came, were drowned in their Passage. The Welsh encouraged by this Accident, which they would have a Miracle, (*non infortunio sed miraculo ascribentes*) pressed their Prince to Act like a Man of Courage, and it would not be long, ere, according to *Merlin's* Prophecy, he should wear the Crown of Brute. Whereupon, with a great Army, he descended into the Plains, and left his Brother *David* to defend the Mountains. Where *Edmund*, the Son of the famous *Roger Mortimer*, then dead, with some other Marchers, set upon them, and without considerable damage to themselves, slew a great number of the Welsh, in which Conflict, *Lewelin's* Head was struck off, presented to the King, and sent to London, and set upon the Tower.

Walsingham [8] Relates this Story in the year 1283, the 11th of Edward I. and that this Battle was six days before the Feast of St. Lucy that year; and says, that the Welsh besieged *Roibelan* Castle (now *Radland*) in *Flinshire*, and that upon King Edward's coming towards them, they quitted the Siege, and retired. *Tho. Wikes* Reports it in the year 1281, and varies also from the others in the Story it self, and whether any of them be true in that, or not, certain it is, they are all false in the time, as is evident from the Records hereafter cited.

They remain obstinate well uncovered.

[7] *Mat. West.* f. 410. n. 50. A. D. 1282. The Welsh surpris'd the King's Justiciary.

The Welsh routed, *Lewelin's* Head struck off.

[8] *Mat. West.* f. 50. n. 10, 20. A. D. 1283.

11B

The

[9] Append.
n. 7.Four Knights
summoned to
meet for eve-
ry County.
For every Ci-
ty, Burgh, and
Mercat Town
two Men.* Rot. Wall.
11 Ed. I. M. 4.[1] Rot. Wall.
11 Ed. I. M. 4.
De pascatis
data petendi
& procurandi
subsidium Regis
in Expeditione
Regis Wall.
The King de-
mands a Sub-
sidy, and in-
joins the form
of it.
Pope Nich.
died, Aug. 22,
1280, and
Merrin IV.
succeeded
Ebor. 22. the
same year.
Walsingham
says it was in
the year 1281,
and according
to Truth.

The King, [9] to the Sheriff of Norf. and Suff. Greeting; Whereas Lewelin the Son of Griffin, and other Welshmen, his Accomplishers, and our Enemies and Rebels, have so often in the times of us and our Progenitors disturbed the Peace of England, and do still continue in the same Course; And, for that by the Advice of our Great Men, and the whole Community of the Land, we propound finally to repress their Rebellion and Instability, so as it shall not be in their power to disturb the Peace of the Nation when they please, altho it seems to be a very great Charge and Difficult Undertaking. We Command you, that you cause to come before us on the Octaves of St. Hillary, (i. e. Jan. 20.) at Northampton, or before our Commissioners, all those of your Bayliwick that have 20 l. a year and upwards, who are able and fit to bear Arms, who are not at present with us in our Expedition against the Welsh. And Four Knights of each County for the Community of the same Counties, having full power from them, and also of every City, Burgh, and Mercat Town, Two Men, (Quo³ homines) for the Communities of the same, to hear and do those things, which on our behalf we shall cause to be shewn unto them, &c. Witness the King at Rothelan the 24th day of November, in the 11th year of his Reign. The like Precept was to the Sheriffs of all Counties in England, to cause to meet, &c. at Northampton, except to the Sheriffs of Hampshire, Cumberland, Westmerland, Northumberland, and Lancashire, who were Commanded to cause, &c. to meet at York. The like Precept was to the Archbishop of Canterbury, to cause all his Suffragans, Abbates, Priores, and other Persons of Religious Houses, Procurators of Deans and Chapters of Collegiate Churches, to come before the King or his Commissioners at the same time and place, to hear and do as before, and further to give their Counsel and Assistance, happily to finish what he had begun, to the Praise and Honour of God, the Magnificence of his Fame, (& ad magnificentiam nostre fame) to the perpetual Peace and Tranquility of the whole Kingdom, Witness as before. The like was to the Arch-Bishop of York, for the Meeting of the Clergy of that Province at York.

After this the King wrote [1] to the Venerable Fathers in Christ, the Bishops, Abbats, Priors, Deans, Chapters of the Cathedral and Collegiate Churches of the Province of York, and their Proctors. To the Knights, Freemen, Communities, and all others of every County beyond Trent, that were to meet on the Octaves of Hillary or 20th of January then near at hand, That for the Suppressing of the Welsh, &c. and Establishing a perpetual Peace in England, which he intended with his whole Heart, he had given Power to the Arch-Bishop of York, and Anthony Bek, Arch-Deacon of Duresm, his Secretary, to ask and procure, in his Name, according to the Form to them, by him delivered and enjoined, a Subsidy to his Use, of his Subjects of every Bishoprick, and County beyond Trent, (plenam damus potestatem petendi & procurandi nomine nostro juxta formam per nos eis inde Traditam, & injunctam, subsidium ad opus nostrum, &c.) Commanding and Requiring them to give Credit to what the Arch-Bishop, and Anthony, should say about the Premises, and to perform what they should

should propound to them on his behalf (Ex parte nostra.) Witness the King at Rothelan the 6th day of January, in the 11th of his Reign.

The Welsh affrighted at the Death of their Prince, [2] delivered all their Castles in Snowdon, and the very middle of Wales; and the Clergy and Laity (Clerus & Populus) granted first a Fifthteenth, and afterwards a Thirtieth part of all their Goods, to the King for an Ayd.

David, the Brother of Lewelin, [3] was taken by the King's Spies, and such as he had appointed for that Business, who refused to see him when brought to Rothelan Castle, altho with great importunity he desired to be brought before him, was sent to Shrewsbury, and there Judicially Condemned, Hanged, Drawn, and Quartered. From this time Wales became Subject to England, and received it's Laws, and the King placed his Sheriffs in it.

King Edward having undertaken the Crusado for the Holy Land, and by reason of these Welsh Wars, and other things he was about to settle in his own Kingdom, not being able in his own Person to perform it, intended his Brother Edmund, Earl of Cornwall, for that Service; and there being Six years Tenths Collected from the Clergy, according to the Canon and Grant of the Second Council of Lions, laid up and secured in several Monasteries, and other Places, for Aid of the Holy Land; Pope Martin the Fourth sent Two Preaching Friars into England, for the Exportation and Return of this Money by his Agents and Forreign Merchants, issued the following Writ to hinder it.

The King to Edmund Earl of Cornwall, Greeting: [4] Because for certain Causes we will not, that the Six years Tenths Granted by the Clergy of Our Kingdom for the Aid of the Holy Land, and now Collected, be carried out of the Kingdom; We Command, that you cause to come before you all the Merchants of London, as well those of Companies as others, and Injoin and Inhibit them on Our behalf, under the Peril of Losing Life, Member, and all their Goods, that they no manner of ways Carry, Cause, or Permit to be Carried, the Money arising from the said Tenths out of the Kingdom; and if you find any Merchants or others doing so, That you cause them and the Money to be Arrested, and safely kept, until you receive other Commands from Us. Witness the King at Hertlebury the 24th of May, in the 10th of Our Reign. The like Command was to the Major and Sheriffs of London, and to Stephen Penecstre Warden of the Five Ports.

And he did not only Issue this Prohibition, but sent Commissioners to the Places where it was laid up, to see how much there was, and to order the safe keeping of it for the right Use. [9] The Priors of Ely and Norwich refused to let the King's Officers see or secure the Money in their Monasteries, whereupon he commanded [6] the Sheriffs of Norfolk and Cambridgeshire, to cause them, with 3 or 4 of their Discreet Monks, to come to him wherever he was, to answer the Contempt. Witness the King at Aberconvey in Snowdon the 15th day of June.

B 2

The

[2] Mat. Wals.
fol. 411. n. 20.
The Welsh de-
liver up their
Castles in
Snowdon.[3] Ibid.
And Walsing-
ham, f. 51. n.
20, 30. f. 52.
ho. 6. d. D.
1284.
David, Prince
Lewelin's Bro-
ther, Judicially
Condemed,
&c.
Wales wholly
subdued.Six years
Tenths grant-
ed for the Aid
of the Holy
Land.[4] Append.
n. 8.
The King for-
bids the Car-
rying of Mo-
ney out of the
Land to the
Pope, who
sent for it.[5] Cl. 11 Ed. I.
M. 7. Durs. de
Dectma.

[6] Ibid.

[7] *Clasul. 10.*
Ed. I. M. 5.
Dof. littera
directa Pope
de cruce affu-
menta.
The Pope
writes to the
King about his
Voyage to the
Holy Land.

[8] *Clasul. 11.*
of Ed. I. M. 7.
Dof. Bulla di-
recta Regis su-
per D. cina.
The King
fends Answer
by his own
Messengers.
[9] *Ibm.*

[1] *Registrum
Pecorum. f. 66.*
The King and
Pope disagree
about the
Tenth and
Business of
the Holy Land.

The Pope
fends the
Arch. Bishop
to A. mon sh
the King.

[2] *Ibm.*
The Arch.
Bishop's Ac-
count to the
Pope concern-
ing the King
and the
Tenth grant-
ed for the
Holy Land.

The Two Friars, (viz. *Garnerius*, and *Ramerius de Florentia*, *ordinis Predicatorum*) that brought the Pope's Orders for the Return or Transportation of these Tenth, brought also his [7] Letters to the King for the taking upon him the Cross, and assigning the time of the General Passage of the Christians of all Nations into the Holy Land; They pressed the King for an Answer, who commended their Prudence very much to the Pope, and only wrote back by them, That his Holiness should receive Answer by Messengers of his own from Chester the 10th of June.

By these Messengers, [8] who were Robert Dean of York, and John Clarel his Chaplain, (as we are informed by the Pope's Bull to the King about this Matter) he desired, That the Tenth that were gathered in his Kingdom, might be assigned to his Brother Edmund, Earl of Cambray and Britany, (as the Pope there styles him) who was ready to undertake the Cross for the Succour of the Holy Land, at the time of the General Passage. But the Pope excusing the Delay of his Return to his Petition, [9] refused to Grant his Request, and giving both him and his Brother great Encomiums, and many fine Words, earnestly moved him to go in his own Person, as was expected, for the Glory of GOD, and his Own Honour. This Bull is Dated *apud Urbem Veterem*, (now *Orvieto*) on the 8th of January, in the Second year of his Pope-
dom, 1283.

After this, according to the [1] Relation in the Pope's Letter, or Bull, directed to John Peccham, Archbishop of Canterbury, recited in his Answer to it, directed to the Pope; The King is Charged, with Breaking open the Locks, and Seals of the Places where this Money was kept, and removing of it whither he pleased, to the great Offence of the Divine Majesty, and much Contempt of the Apostolick See, whereas he ought not to have done it without his License, having sent (as 'tis there said) *frivolous Letters* for his Excuse. In which Bull or Letter, he Commands him, by virtue of his Obedience, to go to the King, and admonish and induce him on his behalf, (*ex parte nostra mones & inducas*) to restore and send the Money back from whence it was taken, without any defalcation, within the space of a Month, and to tell him he would not, nor ought to suffer the Holy Land to sustain such a great Loss, and that unless he complied with the Admonition, he would proceed against him and the Nation, according to the Quality of the Fact, and as he should think fit. Enjoining the Arch-Bishop to give him an Account what he did in this Affair, and what the King's Answer was. Dated at the same Place as before, the 5th of July, in the Third year of his Pontificate.

The Arch-Bishop's Return [2] to the Pope was this. *Hinc igitur Sanctitatis vestre Mandato vires & vota subjiciens reverenter, &c.* In Obedience to your Holiness's Commands, I went immediately to the King in the Marches of Wales, and delivered your Letters into his own Hands; and having openly and plainly Expounded your Letters and Command to me, and

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shewn the Authority of it, before him and his Great Men, I admonished the King to the performance of Three Things.

1. That he should restore, and cause to be carried to the Places from whence it was taken, the whole Money of the Tenth, with such readiness and alacrity, as might expiate the Crime of taking it away.

2. That for the future he should forbear such Actions, adjoining, That tho the Apostolick Clemency retained him in the number of her Dearest Sons, yet if he should be afterwards found in such Offences, he neither could nor would withhold from him the Rod of Correction. (*Non posse eam, nec velle virgam ei Correctionis subtrahere*) lest sparing the Man, it should assent to those Divine Affronts or Injuries it had not Corrected. (*Ne parcendo homini Divinis Injuriis quas non corrigeret, assentiret.*)

3. That he should not trouble or prosecute those that had the Money in keeping.

Quibus sileat & Reverenter auditis, &c. To which, he having patiently, and reverently heard them, and having deliberated with those about him, he thus answered.

To the First, That there was no necessity of the Pope's sending his Letters, or the Arch-Bishop to him in this Case, when as he had Two Months since commanded the Money to be restored.

To the Second, That he intended no undue thing (*nihil indebitum intendebat*) against the Church for the future.

To the Third, He said he wondered, why it should be put upon him not to Molest the Guardians of the Money, when it was always his firm purpose, not to do injury to any Innocent Person.

When he sent this Account of his Proceeding to the Pope, he also advertised him, That it was affirmed by such Testimony as ought to be believed, that the King had restored the Money; but of that he could not write him the precise Truth, unless from those that knew the Weight, Number, and Measure of it. (*Nisi per illos qui ipsius moverunt Pondus, Numerum, & Mensuram.*) This Answer of the Arch-Bishop to the Pope is dated the 29th of November.

While the King [3] remained in Wales, for the Establishing and Settling his own, and the Nation's Affairs there, his Son Edward (who succeeded him) was born at Caernarvon on St. Mark's Day; where he continued until toward the latter end of April the year following, and then having finished his Work, [4] he came into England, and was received at London in great Triumph the last day of that Month.

Matthew

[3] *Mat. West.*
f. 411. n. 50.
A. D. 1284.
King Ed. II.
Born.
[4] *Ib. f. 412.*
n. 30.
A. D. 1285.

[5] *Ibm.* n. 40, 50.

A. D. 1286.

[6] *F.* 322. A. D. 1286.

[7] *Mat. W. G.* f. 414. n. 10. A. D. 1289. King Edward punished his Justices for Bribery.

[8] *Buchan. rer. Scot. lib. 7.* f. 85. a. n. 10. Printed at Edinburgh, A. D. 1582. Alexander K. of Scots dies.

[9] *Ib. lib. 8.* in *notis*, f. 86. a. n. 10.

Matthew of Westminster Reports, That the King of [5] *France*, *Philip IV.* called the *Fair*, not long after his Father's Death, sent his Ambassadors to King *Edward*, to come over into *France*, and employ his Mediation for a Peace between himself, and the Kings of *Aragon* and *Spain*. He complied with his desire, and on the 24th of *June* passed the Sea, and was attended with many Bishops, Earls, and Barons, and was received Honourably by the King and Nobles of *France*, and Conducted to *St. Germans*, where he staid some time, and demanded the Lands which his Grandfather King *John* had lost, and obtained Ten thousand Pounds *Sterling* of the King of *France*, to be yearly paid at the Tower of *London*, together with some Arrears for *Normandy*, which was his Inheritance.

Mezeray's Story is otherwise, he [6] says ever since the Death of *Philip III. Edward* King of *England* had omitted no Endeavour to confirm the Treaties with his Successor. In the year 1286, landing in *France* about *Pontieu*, he was received at *Amiens* by several Lords sent from the King to meet him; from thence he came to *Paris*, where he was Magnificently Treated, and was present at the *Parlement*, which was held after *Easter*, and went from thence to *Bourdeaux*. The apparent Cause of his Voyage, was the Desire he had to compose the Business of the King of *Aragon* with the King of *France*, because *Alphonso*, the Eldest Son and Successor of *Peter*, had Married or Espoused his Daughter *Elleanor*; He forgot not likewise then to press earnestly he might have some Consideration for *Normandy*, and those other Countreys, which both his Father and himself had Renounced, but could obtain nothing in either of these Points. Being at *Bourdeaux*, he solemnly Received the Ambassadors of the Kings of *Aragon*, *Castile*, and *Sicily*, all Enemies to *France*, which gave no little Jealousie to King *Philip*; Thus the *French* Historian. And there is nothing to be found of his Mediation, or what Effect it had.

He staid in *France* above Three years, without doubt to Transact his own Affairs; And at his [7] Return, *Aug.* the 4th, he made a Progress through *England*, and punished his Justices that had taken Bribes in his absence, perverted Judgment, and committed Errors, according to the quantity of their Faults.

Alexander III. King of *Scotland*, died [8] by a fall off his Horse on the 19th of *March* 1285; and before himself all his Children died: his Daughter *Margaret* was Married to *Eric* King of *Norway*, who by him left one only Daughter named *Margaret*, called the *Maid of Norway*, Heiress to the Crown of *Scotland*. *Alexander* thus dead without Issue, except this Grandchild, and she then in *Norway* with her Father, there was a Convention of the States of the Kingdom at *Scone*, in which they Treated of creating a new King, and settling the State of the Kingdom, [9] in quo conventu de novo Rege creando, & Statu Regni componendo ageretur, which King's creation (as the Author expresseth it) was only providing a Husband for the *Maid of Norway*,

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as appears by the following Story, where were chosen Six Guardians or Governors of the Kingdom, to Rule it in the Name of *Margaret* the *Maid of Norway*, as will presently appear: To whom King *Edward*, knowing the Grandchild of his Sister, (King *Alexander's* Queen) the only Child of the King of *Norway*, and sole Survivor of *Alexander's* Posterity, to be the Lawful Heir of the Kingdom of *Scotland*, sent Messengers thither to require her for a Wife for his Son. [1] *Edwardus Anglorum Rex gnarus sue sororis neptem Regis Norwegie filiam unam ex Alexandri posteris esse superstitem, eandemque Regni Scotorum legitimam heredem, legatos ad eam depescendam filio suo uxorem in Scotiam Misi.*

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To proceed in this Match the Popes [2] Dispensation was procured, they being Cousin Germans, to legitimate the Marriage. This obtained, King *Edward* writes to *Eric* King of *Norway* [3] about this Affair, assuring him, That the Guardians, the Great Men, Prelates, and the whole Community of the Kingdom of *Scotland*, had unanimously consented to it. And the King of *Norway* [4] wrote to King *Edward*, and sent Commissioners there named, to Transact with him, That by his Advice and Assistance his Niece might be obeyed as Queen and Heir of *Scotland*, and that the might Govern as Kings do in other Kingdoms, *Ut ipse apponeret auxilium & consilium, qualiter pradicta Regina nepti sue obediretur, ut Domina, Regina, & heres, Regni Scotie, & quod ipsa inde Ordinare possit pariter & Gaudere prout alii faciunt Reges Regnis.* [5] King *Edward* wrote also to the Guardians of *Scotland*, to send Commissioners to Treat with those of *Norway* about the Emendation, Peace and Quiet of that Kingdom, and ordering the State of the Queen, (*& reformatione Status Regine*) who sent them accordingly, with whom he joined Commissioners of his own. All these Commissioners named in this Instrument, met at *Salisbury* on the 26th of *October*, where and when it was agreed:

First, That the Queen and Heir [6] (*Regina & Heres*) should come into *England* or *Scotland* before the Feast of *All-Saints*: next coming, if she had no reasonable Excuse, free from any Contract of Marriage or Espousals, for which the Commissioners of *Norway* did undertake.

Secondly, That if she came so into *England*, King *Edward* promised, That when *Scotland* was so secured in Peace and Quiet, as the might safely go thither, and stay there, if the Scots required, he would send her thither free from all Contracts of Marriage and Espousals, so as the Scots before they should receive her, gave good Security to him, and the King of *Norway*, they would not Marry her without their Consents.

Thirdly, The Scots Commissioners likewise promised, for themselves and the Nation, they would secure it before she came thither. [7] *Quod inibi ut in suum Regnum venire poterit, & pro sue voluntatis libito Commorari, prout ipsius Terre vera Domina, Regina & Heares; Quodque de premissis omnes securitates prestabunt, que rationabiles fuerint, & quas dicti Huntii Norwegiae ipsos facere*

Six Guardians or Governors of the Kingdom chosen. *Margaret* the *Maid of Norway* his Grandchild and Heir.

[1] *Ibm.* n. 20. A Match propounded between her, and *Edw. II.*

[2] *Pat. 17. Ed. I. M. 3. Cedula inter de facto Norwegie.* [3] *Ib. M. 4. Cedula.*

[4] *Ib. M. 3. A. A Treaty about that Match.*

[5] *Ibm.*

[6] *Ibm.* The Articles of that Treaty.

[7] *Ibid.*

cere posse dicunt. That the might come and remain there at her pleasure, as true Lady, Queen, and Heir, and that concerning the Premises, they would give all Rational Security, that the Commissioners of Norway should say they might give.

[8] *Ibm.* Fourthly, If any of the Guardians or Officers of Scotland were suspected, they should be Removed, [8] and new ones put in their Places by the Commissioners of Norway, and Scotland, and such as the King of England should appoint for that purpose, and if the Scots and Norwegians could not agree in this Matter, then the English Commissioners were to determine what was to be done, and not only in this, but in all Matters whatsoever, that should happen in settling the State and Reformation of Scotland.

[9] *Ibm.* For the performance of all this it was [9] agreed there should be a great Meeting of the English and Scots at and near Rokesburgh, at Midlent next following, where the Scots were to give Security for the Performance of these things, and for the Emendation of Scotland before such as the King of England sent thither. [1] To this Agreement in Three Parts, Two in French for the English and Scots, and a Third in Latin for the Commissioners of Norway. The Respective Commissioners set to their Seals, and it was Dated at Salisbury on Sunday the Feast of St. Leonard, (i. e. November 6.) 1289.

[2] *Append. n. 9.* By his Letters [2] dated the same day at Clarendon, directed to the Prelates, Great Men, and the whole Community of Scotland, King Edward Requires them to obey and be assisting to the Guardians, who were appointed in the Name of his Kinswoman Queen Margaret, to Govern that Kingdom.

This securing Scotland to the Right Heir, and making it in so quiet a Condition, as it might receive her with safety, and providing her an Husband, was the ordering of the State of the Kingdom, and King-Creation, as Buchanan artificially insinuates in his Republican Expressions.

For further facilitating of this intended Marriage, and that it might proceed, with the Assent and Approbation of the Guardians, Bishops, Abbats, Earls, Barons, and whole Community of Scotland, King Edward [3] confirmed to them certain Articles agreed on, by special Commissioners on both Parts. The English Commissioners on behalf of the King and his Heirs Granted:

First, That they should Have, Use, and Enjoy, their Laws, Liberties, and Customs, they had before Enjoyed.

Secondly, That if Edward and Margaret should die without Heirs, the Crown should Revert to the next Heir of the Kingdom.

Thirdly, That the Kingdom of Scotland might remain separated, divided, and free in it self, from the Kingdom of England, without subjection, by its true Bounds and Limits, as it had been before time. This was Granted with a saving of the King's Right before this Treaty.

Fourthly,

Fourthly, That the Chapters of Cathedral, Collegiate, or Conventual Churches, might not be compelled to go out of the Kingdom to ask Leave to Elect or Present their Elects, or to do Fealty to the King of Scotland, nor any Tenents in Capite, or other Persons forced out of the Kingdom, to do their Homage, Fealty, and Services, or prosecute any Suits, or other things which were used to be done there, but that they might be done in their usual Places, before the Chancellor of Scotland or Vice-Roy.

Fifthly, That the Parlements for what concerned Scotland, might be holden within that Kingdom.

The King was to [4] Swear to the Observation of these Things; And the Commissioners promised further, That he should oblige himself and Heirs to make Restitution of the Kingdom in the Case aforesaid in 10000 l. Sterl. to be paid to the Church of Rome in Aid of the Holy Land; and, That he should Consent, the Pope might constrain him and his Heirs, by Excommunicating them, and interdicting the Kingdom, as well to the Restitution, as Payment of the Money, if he did not.

It was lastly [5] Agreed and Promised by the English Commissioners, That King Edward at his own Charges should procure the Pope to confirm these Articles within a year after the Marriage of Edward and Margaret, and that within the same time, & infra idem Tempus Communitati Regni Scotie liberari, to be delivered to the Community of the Kingdom of Scotland, who could be no other then the Nobility and Military Tenents.

These Articles and Concessions were Sealed by the Commissioners on Tuesday before the Feast of * St. Margaret, on the 15th of the Kalends of August, (that is July 18.) A. D. 1290; and the Letters Patents of Confirmation of this Agreement were Sealed with the King's Seal at Northampton, August 28.

On the same day the King appointed [6] the Bishop of Durham to be Lieutenant to Queen Margaret, and his Son Prince Edward, in Scotland, for Preserving the Peace and Government thereof, with the Advice of the Guardians, Prelates, and Great Men, according to the Laws and Customs of the Kingdom. And the Guardians and Noblemen of Scotland, with the Governors and Captains of the Castles and Forts, ingaged themselves [7] to deliver them up, when their Queen and her Husband should come into that Kingdom. This whole Transaction at large is to be found in the Patent Rolls of the 17th, M. 3, 4. and of the 18th of Ed. I. M. 8, 9. in the Tower of London, in the Record Office there.

But before this intended Marriage could be consummated, in her Voyage towards England or Scotland, the Queen died, [8] after whole Death there arose a Contention between several Pretenders to the Right of the Crown and Kingdom of Scotland, which put that Nation into Confusion; King [9] Edward, as Superior

[4] *Ibm.*

[5] *Ibm.*

July 10.

[6] *Append. n. 10.* King Edward appointed a Lieutenant in Scotland, to Queen Margaret and his Son.
[7] *Pat. 18 Ed. I. M. 8.*

Queen Margaret dies.
[8] *Rot. de Inquisit. Ric. I. in Reg. m. Scotia, &c. Anis 19, 20, 21, 22, 23. Ed. I. in Tur. f. Lond.*
Several Competitors for the Crown.
[9] *Ibm.*

The meaning of Buchanan's King-Creation.

[3] *Pat. 18 Ed. I. M. 8, 9. A. D. 1290.*

Concessions of King Edward for promoting the Match between his Son and the Heirs of Scotland.

[1] *Ibm.*

Superior and direct Lord thereof, called his Parlement at *Norham* in the Confinis of *Scotland*, [1] (*Indiſto apud Norham in conſiniis Regni Scotia ſuo Parlamento*) and went thither to determine the Controverſie about the Right of Succeſſion between the Competitors.

[2] *Ibm.*
A. D. 1291.
King Edward
claims the Superiority and Direct Dominion over Scotland.

On the 10th of [2] *May*, A. D. 1291, and Nineteenth of Ed. I. by the King's Command, the Nobility, Prelates, Knights, and many others of both Kingdoms, met at that place, (*Congregatis apud Norham ad Regis Mandatum utriusque Regni Nobilibus, & Prelatis, Militibus, & perſuribus aliis in Multitudine Copioſa*) where Roger Brabancon, the King's Juſticiary, in the preſence of a Publick Notary, and Witneſſes purpoſely called thither, in preſentia mei Notarii publici & Teſtium vocatorum ad hoc ſpecialiter & rogatorum in the King's Name told them the Reaſon of his coming, and of their being there called together, which was, That he taking notice in what Confuſion the Nation had been ſince the Death of Alexander their laſt King, and his Children, for the Affection he had for them, and all the Inhabitants thereof, whoſe Protection and Safe-guard was well known to belong to him, for the doing right to all that claimed the Kingdom, and Preſervation of the Peace. To ſhew them his Superiority, and Direct Dominion, out of divers Chronicles and Monuments preſerved in ſeveral Monafteries, to uſe his Right; to do Juſtice to all, without Uſurpation or Diminution of their Liberties, and to demand their Aſſent to, and Recognition of his Superiority and Direct Dominion.

[3] *Ibm.*
The Nobility of Scotland require time to Conſider of his Claim.

The Juſticiary having thus ſpoke in the King's Name, and the Biſhops, and other Eccleſiaſtick Prelates, Earls, Barons, Great Men, and other Nobles of the Communality of the Kingdom of Scotland, there preſent, having underſtood his Meaning, (*Quibus [3] per præſatum Dominum Rogerum, nomine Regis Angliæ, peroratis, & præſatis Episcopis, & aliis Prelatis Eccleſiaſticis, Comitibus, Baronibus, aliisque Nobilibus, de Communitate dicti Regni Scotia ibidem præſentibus plenius intellexis*) they required time to Conſult with ſuch of their Orders as were abſent, which the King granted until the next day only.

[4] *Ibm.*

He gives them time, and directs them to produce Evidence againſt his Claim.

When, [4] it being the 11th of *May*, they met again in the Church of *Norham*, and then they earneſtly preſs the King to give them longer time to Anſwer, with ſuch as were abſent, to his Demands concerning their Recognition of his Superiority and Direct Dominion over the Kingdom of Scotland, which he ſaid was his Right, (*Quod dicebat eſſe ſuum jus*.) Upon Deliberation he gave them time until the Second of *June* next coming; and on that day preciſely they were to Anſwer his Demand, and if they had any Evidence, Writings, or Antiquities, which might exclude him from the Right, and Exerciſe of his Superiority and Direct Dominion, or overthrow his Reaſons and Arguments for it, they were then to exhibit, and ſhew them, proteſting he was ready to allow them what the Law permitted, and to do what was juſt.

And

And that they might the better underſtand his Title, and make their Objections againſt it, the [5] Biſhop of *Durham* was appointed to Declare it to the Nobility, and Prelates there preſent: The Declaration he made, and Arguments he uſed were Hiſtorical, and taken from the [6] Manuscripts of Marianus Scotus, William of Malmsbury, Roger de Hoveden, Henry de Huntingdon, Ralph de Diceto, and the Chronicle of St. Alhans. That is, Math. Paris; That the Scots had been Conquered by ſeveral of our Saxon Kings; That ſeveral of their Kings had ſubmitted to them, ſworn Fealty, done Homage, and received the Crown and Kingdom from them; and that the Scots had alſo ſubmitted and been Governed by ſuch Kings, as the Engliſh Saxon Kings had given that Kingdom to, and placed over them; That after the Conqueſt the very ſame things had been done, ſubmitted to, and complied with, in the Reigns of William the Firſt, Second; Henry the Firſt, Stephen, Henry the Second, Richard the Firſt, King John, and Henry the Third.

Moſt of which Authorities Cited as Matter of Fact in this long Deduction, are to be found in the Hiſtorians above-mentioned now in Print, according to their ſeveral Years and Dates. Except that in the Year 1189, in the Month of *December*, 'tis only ſaid in *Hoveden*, That William King of Scots came to *Canterbury*, and did Homage to *Richard* the Firſt, for what he held of him in *England*; and 'tis omitted in the ſame Deduction, [7] That he Releaved for the Conſideration of 10000 Marks Sterling, all what his Father *Henry* the Second, by Bargains, Agreements, New Charters, and Imprifonment had Extorted from him, Reſerving only the Homage due to him for the Lands he held in *England*: So as he was to be in the State and Condition with King *Richard*, as his Brother *Malcolm* King of *Scotland* had in been the time of his Progenitors. And alſo, That *Alexander* his Son, upon the Marriage of *Henry* the Third's Daughter, did his Homage to him as his Liege-Lord, for the Lands he held of him in *England*; but being demanded to do the like for the Kingdom of *Scotland*, and acknowledge his Superiority according to the Practice of his Predeceſſors, Modeſtly [8] reſuſed it, and was not earneſtly urged to do it, leſt it might diſturb the Jollity of the Marriage Entertainment.

After the King's Title to the Dominion of *Scotland* had been Declared and Published, on the [9] Second of *June*, the Biſhops, and other Eccleſiaſtick Prelates, together with the Earls, Barons, and other Nobles of the Community of the ſaid Kingdom of *Scotland*, met right againſt *Norham* Caſtle, (where King *Edward* then was) in a Green Plain on the other ſide of the River *Tweed*, as alſo the Noble Men that claimed the Kingdom. [1] *Congregatis Ex oppoſito caſtri de Norham, ex alia parte ſummis de Tweeda in quadam area viridi, Episcopis Prelatique aliis Eccleſiaſticis Regni Scotia, una cum Comitibus, Baronibus, aliisque Nobilibus de Communitate dicti Regni, Necnon & Nobilibus Civis Jus ad dictum Regnum vendicantibus, &c.* The Biſhop of *Bath* and *Wells* was ſent to Demand in the King's Name, What they had done ſince the laſt Meeting, [2] and whether they would Say, Exhibit, Propound, or ſhew any thing that could or ought to exclude

His Title.

[5] *Ibm.*[6] *Ibm.*[7] *Hoveden, f. 377. a. b.*[8] *Mat. Paris f. 329. N. 50.*[9] *Mat. de Superioritate Regni Angliæ, &c.*

[1] The Scots Nobility meet about King Edward's Title.

[2] *Ibm.*

They do not
say or pro-
duce any
thing against
it.

He resolves to
proceed in
Hearing and
Deciding the
Titles of the
Competitors
to the Crown.
[3] *Ibm.*

All the Com-
petitors ac-
knowledge
Edward I. to
have the Su-
periority and
direct Domi-
nion over the
Kingdom of
Scotland, and
that they
would receive
Justice from
him.

[4] *Ibm.*

clude the King of England from the Right and Exercise of the Superiority and direct Dominion of the Kingdom of Scotland; and that they would Produce and Exhibit it, if they believed it Expedient for them, *si sibi crederent Expedire*, protesting in the Name of the King of England, he would favourably hear them, and allow what was Just, or Report what they said to him, and his Council. That upon Deliberation they might do what Justice required. They tho' often required, answered Nothing, propounded or exhibited Nothing; wherefore the Bishop recapitulating what had been said and urged for the King's Title, and what had been done in these several Meetings in which they offered nothing against it, declared to them, the King would make use of his Right of Superiority and direct Dominion in Scotland, in Deciding the Controversie between the several Competitors for that Kingdom, which according to the Notary's Form and Method is thus tediously Expressed; [3] *Idcirco vobis omnibus & singulis tam Episcopis, Prelatisque aliis Ecclesiasticis, quam Comitibus, Baronibus, Nobilibus, & Magnatibus altis de Communitate dicti Regni Scotie hic Congregatis, Idem Dominus noster Rex Anglie, per nos Robertum Bathoniensem & Wellensem Episcopum insinuat & Denuntiat, Quod cum ex parte vestra per vos & vestrum aliquem, nihil sit propositum, exhibitum, vel ostensum, quod jus, Executionem, seu Exercitium juris sui, hujusmodi Superioritatis & Directi sui Domini predicti debeat aliquoties impedire; Intentionis sue est Jure suo predicto uti, & in ipso negotio inter contententes de Jure Successionis Regni Scotie procedere.*

Then beginning with Robert de Brus Lord of Anandale, and one of those that Claimed the Right of Succession to the Kingdom of Scotland, he ask'd him in the Presence of all the Bishops, Prelates, Earls, Barons, &c. Whether in Demanding the said Right, he would Demand, Answer, and Receive Justice, before the King of England, as Superior and Direct Lord of the Kingdom of Scotland, who presently, publicly, openly, and expressly, in the Presence of all and every one of them, and the Publick Notary, no body Contradicting or Gainsaying, answered, That he did acknowledge the King of England, Superior and Direct Lord of the Kingdom of Scotland, and that he would from and before him, as his Superior and Direct Lord of the Kingdom of Scotland, Demand, Answer, and receive Justice. [4] *Idcirco ex parte dicti Domini Regis Anglie & de ipsius mandato speciali, incipiendo a vobis Domino Roberto de Brus, Domino Vallis Anandie, &c. interrogando querimus, hic in presentia istorum Prelatorum, Comitum, Baronum, & aliorum Nobilium utriusque Regni hic Existentium, an super Petitione Juris vobis Competentis ad dictum Regnum velitis coram ipso Rege Anglie utpote Superiori Domino vestro Regni Scotie, stare juri, & ab eo petere, Respondere, & Recipere Justicie Complementum. Qui statim, publice, palam, & Expresse, in presentia omnium & singulorum ibidem presentium, & mei Notaris infra scripti, respondens dixit, Quod Dominum Regem Anglie recognovit Superiorem & Directum Dominum dicti Regni Scotie, & concessit se velle &c. ab ipso, & coram ipso, utpote Superiori & Directo Domino suo Regni Scotie, Petere, Respondere, & Recipere Justicie Complementum.*

All

All the other Competitors there present, *viz.* [5] Florence Earl of Holland, Lord John Hastings, Patrick of Dunbar Earl of March, William Vesey, William de Ros, Robert de Pinkney, and Nicolas de Soules, had the same Question put to them, and made the same Answer.

John Baliol was absent, and upon his [6] Proffer's Request, the Meeting was continued untill the next Day, the Third of June, to be in the Parish Church of Norham; When he gave the same Answer to the same Questions.

And they did not only make this Recognition publicly in this great Assembly; but they made the following Letters-Patents thereof to the King. [7] *To all those that shall see or hear this Letter.* Florence Earl of Holland, Robert de Brus Lord of Anandale, John Baliol Lord of Galloway, John Hastings Lord of Abergavenny, John Comyn Lord of Badenaugh, Patrick de Dunbar Earl of March, John Vesey for his Father, Nicholas de Soules, and William de Ros, Greeting in the Lord: Whereas we intend to pursue our Right to the Kingdom of Scotland, and to Declare, Challenge, and Avert the same, before him that hath most Power, Jurisdiction, and Reason to Try it; and the Noble Prince Edward, by the Grace of God King of England, having informed us by Good and sufficient Reasons, That to him belongs the Sovereign Seignemrie of the Kingdom of Scotland, and the Cognizance of Hearing, Trying, and Determining our Right. We of our own Good Will, without all manner of Force, do Grant to Receive right from him as Sovereign Lord of the Land; and we Will also and Promise, That we will have and hold firm and stable his Aid, and he shall Enjoy the Realm, to whom it shall be adjudged before him: In Witness whereof we have set our Seals to this Writing, Made and Granted at Norham the Tuesday after the Ascension, in the Year of Grace, 1291.

This done [8] The King and his Council treated with the Prelates, Noblemen, and Competitors for the Crown of Scotland, how this Business might be best proceeded in; and also the Reformation of the State of the Nation. It was agreed by the Unanimous Consent of the Noblemen and Prelates of both Nations, (*Nemine Contradicente*) That John Baliol and John Comyn should chuse Forty Persons, and Robert de Brus should chuse other Forty fit Persons, whose Names should be delivered to the King three Days after, *viz.* on the Fifth of June, to whom he was to add Twenty Four, or more or less, who should Hear and Discuss the Rights of all the Pretenders, to make a Faithful Report thereof to him, That he might give the Definitive Sentence.

All this was done on the Second and Third of June; but because by the Letters-Patents of Recognition, or Instrument above, he had not sufficient Power to put in Execution his Sentence to whomsoever the Kingdom should be adjudged, unless he were in actual Possession thereof. [9] The Competitors came before him on the 4th of June, and very many of the Bishops, Earls, Barons, Knights, and Noblemen of both the Kingdoms, when he had Possession given him of the Kingdom and Castles of Scotland, by the Competitors, with the Consent of the Community of the same Kingdom,

[5] *Ibm.*
The Competitors who they were.

[6] *Ibm.*
John Baliol submitted as the other Competitors.

[7] Append. N. 11.
The Instrument by which the Competitors made their Submission.

[8] Rot. de Superioritate Regis Anglie in Regno Scotie ut supra.
The Rights of the Pretenders to the Crown of Scotland how to be tried.

[9] *Ibm.*

Kingdom, *Nemine Contradicente*, according to the following Instrument or Writing:

[1] *Ibm.*
The King had the Possession of Scotland given him, in order to the Declaring who had most Right, and putting him in Possession.

To all those who shall see or hear this present Letter, [1] We Florence Earl of Holland, &c. as before, Greeting in GOD, Whereas we have Given and Granted with one assent of our own Good Will, without Force, to the Noble Lord Edward King of England, That he as Sovereign Lord of the Land of Scotland, should Judge, Try, and Determine the Claims and Demands, we intend to propound, and aver for our Right in the Kingdom of Scotland, and to Receive Right before him as Sovereign Lord of the Land, promising to have and hold his Aid firm and stable; and that he should Enjoy the Kingdom, to whom he should give it; But for that the said King of England cannot make any manner of Cognisance or accomplish his Judgement, nor put his Judgement in Execution, nor the Execution take Effect without the Possession or Seisin of the same Land, or the Castles thereof, we Will, Grant, and Assent, That he as Sovereign Lord, to perform the Things aforesaid, shall have Seisin of all the Land and Castles in Scotland, until Right be done to the Demandants, upon Condition, That before he be put in Possession he shall give sufficient Security to the Demandants, to the Guardians and Community of the Kingdom of Scotland, to Restore it, and the Castles, with all the Royalty, Dignity, Seignories, Franchises, Customs, Rights, Laws, Usages, and Possessions, and all manner of Appurtenances in the same State and Condition they were when he received them, saving to the King of England the Homage of him that shall be King: So as they may be Restored within two Months, after the Day the Right shall be Determined and Affirmed; and that the Profits of the Nation which shall be Received in the mean time, may be kept in the Hands of the Chamberlain of Scotland that now is, and one to be joined with him by the King of England, so as the Charge of the Government, Castles, and Officers of the Realm might be deducted. In Witness whereof, we have set our Seals to this Writing, Made and Granted at Northampton, on Wednesday after Ascension, in the Year of Grace, 1291.

On the Fifth of June, [2] the Names of the Eighty elected to Examine, Hear, and Report the Rights of the Competitors, were delivered to the King, on the Sixth they were ordered to appoint the Place and Day for their Examination, and Hearing the Petitions of the Demandants, (Petitiones Petentium) and Discussing their Right; [3] Berwick upon Tweed was appointed for the Place, which the King accepted; but not agreeing on the Time the King as Superior and Direct Lord of the Kingdom by the Unanimous Consent of the Prelates and Noblemen of both Kingdoms there present, appointed the Second of August a Peremptory Day for the Competitors to propound their Titles.

On the 11th of June [4] the Bishops of St. Andrews and Glasco, John Comyn Lord of Badenau, and James Seneschal or Stewart of Scotland, the then Guardians of the Kingdom, and all the Castellans, or Constables of Castles, delivered up their Guardianships and Bayliwicks to the King as Superior Lord, *Suis Custodias & Bailias Domino Regi, &c. reddiderunt*; and when he had received them

[2] *Ibm.*
The Names of the Examiners of the Titles of the Competitors delivered to the King.

[3] *Ibm.*
Berwick the Place of Meeting for that Purpose.

[4] *Ibm.*
The Guardians of Scotland deliver their Guardianships to the King, &c.

them, he committed the Guardianship of the Kingdom to the same Persons, to Govern it under him, and in his Name; [5] and presently the Bishops and Noblemen of Scotland, by the King's Command, chose Alan Bishop of Cathnes their Chancellor, and presented him to the King, who allowed him, and adjoined Walter of Agmundesham, his Clerk, to him, as an Associate; and on the next day they were both Sworn.

He makes the same Persons Guardians.
[5] *Ibm.*

These things done, [6] the Guardians, and Pretenders to the Crown, and all and singular the Bishops, and other Ecclesiastick Prelates, Earls, Barons, Great Men, and the Communities of Cities and Burghs there present, that were bound to do and Swear Fealty to the King, had notice to do it on the Morrow to the King of England, as Superior and Direct Lord of Scotland, in the same place where they were then assembled, in the Green Plain beyond the River Tweed, in the Bounds of Scotland, [7] which was done and Sworn accordingly, and then the King caused his Peace to be proclaimed publicly. From this 13th of June to the 3d or 4th of August, all the Bishops, Earls, Barons, Noblemen, Free-Tenents, or Tenents in Military Service, Communities, and all others that were bound to do and Swear Fealty to the King of Scotland, (*Qui fidelitatem Domino Regi Scotie facere tenebantur*) were (to save Expences and Labour) Sworn by Commissioners in all parts of the Kingdom, and a very great number of their Names Recorded in this Roll; and in every place, when they had Sworn, the King's Peace or Pardon was proclaimed. The Form for taking the Oaths and Fealties of Absents, was made by the Agreement and Express Consent of all the Bishops, Earls, Barons, and other Noblemen of Scotland there present.

[6] *Ibm.*
Fealty Sworn by the Guardians, and Pretenders to the Crown.

[7] *Ibm.*

And whole Kingdom of Scotland.

While the King was thus employed in Deciding this Controversy, his Mother Queen [8] Elienor died about Midsummer, and he returned into England to see her Interred, and the Funeral solemnized with all due Honour; When that was over, he returned toward Scotland.

[8] *Walsingh.*
f. 57 n. 40.
Queen Elienor, Queen Edward's Mother, dies.

And was at Berwick [9] on the 3d of August, which day being continued with the day preceding, according to his Assignment, the Competitors appeared before him and his Council, in the Assembly of the Prelates and Noblemen of both Nations, and with them the Twenty four English Auditors and Examiners of their Titles chosen by the King, and the Fourscore chosen by Robert de Brus, and John Baliol, and such others as would Consent to the Election made by them, to Discuss their particular Rights, and make Report thereof to the King.

[9] *Rot. Sep.*
ritatus Regis Anglie, &c. ut supra.
The Competitors appear before the King.

There appeared no less then Twelve Demandants that put in their Pleas for the Crown of Scotland, all entred in this Roll, and Petitioned to have the Kingdom delivered to them; besides, the King of Norway, who by his Proctors and Messengers, demanded it, as Heir to his Daughter Margaret: [1] The others were Florence Earl of Holland, Patrick de Dunbar Earl of March, William de Vesey, William de Ros, Robert de Pinkny, Nicholas de Soules, Patrick Galightly, Roger de Manderell, John Comyn, John de Hastings, John de Baliol, and Robert de Brus.

[1] *Ibm.*
The Twelve Competitors Names.

[2] Ibm.
The Compe-
titors Petiti-
on, with
their Reasons,
Reported to
the King.

The *Petitions*, [2] with the Reasons of their Claims having been *propounded* and *shewn* to the *Auditors*, they Reported them to the King, before the *Prelates* and *Noblemen* of both Kingdoms, in the presence of all and every of the *Demandants*, and of the *Publick Notary*; The King assigned them by their own Consent, Monday next after the Feast of the *Holy Trinity*, which would be on the Second day of *June*, in the year 1292, for the further Proceeding in this Controversy.

[3] Ibm.

The King [3] being that day at *Berwick* upon *Twede*, and the *Prelates* and *Noblemen* of both Kingdoms there assembled, with the *Auditors* that had been *Elected*, and those appointed by the King to *discuss* and *hear* the *Rights* of the *Parties* claiming, after an *Attentive Hearing* came to the King and related what had been done; who with the *Prelates* and *Noblemen* of both Kingdoms strictly Examined them, and for that he found there would be great *delay*, and *much time spent*, to the *peril* and *danger* of the Kingdom, it was ordered by the *Express Consent* of all *Pretenders*; and by the *Assent* of *Prelates* and *Noblemen* aforesaid, That the *Rights* and *Titles* of *Robert de Brus*, and *John Baliol*, should be first Examined and *Discussed*, and that afterwards all others might prosecute their Claims, if they thought fit.

Robert de Brus,
and John Ba-
liol's Titles to
be first Dis-
cussed.

[4] Ibm.
The Eighty
Auditors
Sworn to Ad-
vise the King
how to pro-
ceed in this
Judgment.

The King, [4] tho he might have *Judged* the Case without them, as *Superior Lord* of *Scotland*, yet that he might do it with more *Security* and *Prudence*, he caused the *Eighty Auditors* to take an *Oath*, that they would advise him how, and by what *Laws* and *Customs* he was to proceed to Judgment in this Case. These *Eighty* pretended great *Difficulties*, and desired the *Twenty four English* the King had appointed, might be added to them. These *Twenty four* pretended as great, or greater *Difficulties*; and therefore I dare not undertake the *Charge*, or *Consult* upon the *Business* before them. without the *Advice* of the *Prelates*, *Noble*, *Great*, and *Wise-men* of *England*, that were absent; wherefore by the unanimous Assent of all present, the King assigned the *Morrow* of the Feast of the *Translation* of *St. Edward the Confessor*, (that is the 14th of *October*) for the further Proceeding in this *Business*, in his Parliament in the same place, in *Parlamento suo loco eodem*.

They desire
the Advice of
the Prelates
and Nobles-
men of Eng-
land.

[5] Ibm.
The Prelates
and Nobles-
men of both
Kingdoms
meet at Ber-
wick.
The King
asked their
further Ad-
vice.
How the
Right of Suc-
cession was to
be determined
in Scotland.

At [5] that day the *Prelates* and *Noblemen* of both Kingdoms appeared at *Berwick*, as also the *Auditors*; the King asked them as he had done before, by what *Laws* and *Customs*, Judgment was to be given in the present Case; and if there were found no *Laws* or *Customs* to proceed by, how it was to be given; and whether otherwise concerning the Kingdom of *Scotland*, than concerning *Earldoms*, *Baronies*, and other *Tenures*. They all Answered with one Voice, (*Nemine Contradicente*) That Judgment was to be made by the *Laws* of the Kingdom, if any; If not, the King might and ought by Advice of his *Prelates*, *Noble*, and other *Great Men* of his Kingdom, make a new one. And that as to the *Right of Succession* in the Kingdom of *Scotland*, Judgment was to be given as concerning *Earldoms*, *Baronies*, and other *indivisible* or *impartible Tenures*.

The

The King having Received these Answers, [6] he ordered the *Auditors* to Repair to the Church of the *Friers Preachers* in *Berwick*, and favourably to hear *John de Baliol*, and *Robert de Brus*, from day to day what they had to say or propound; *Robert de Brus* began first, shewing the *Reasons* and *Arguments* for his Claim, and then *John Baliol* set forth his, in a long *Plea*, and answered all what *Robert de Brus* had said. The *Auditors* Related what had been urged on both sides to the King; They both personally appeared before him, who asked them if they would speak any thing further; they answered, No; Whereupon the King openly and publicly before the *Prelates*, and *Noblemen* of both Kingdom, his whole Council, and the *Auditors*, asked what Advice they would give him; which of the two, according to what they had shewn, and set forth, had *Right of Succession* in the Kingdom of *Scotland*; and the force of all their Arguments on both parts, was drawn into this Question.

[6] Ibm.
The Titles of
Robert Brus
and John Ba-
liol Examined.

An [7] *remotior in uno Gradu in successione, exiens de primogenita, debeat secundum leges, & consuetudines, utriusque Regni, excludere proximior in Gradu excentem de secundogenita? Vel proximior in Gradu exiens de secundogenita, debeat secundum leges & consuetudines ipsorum Regnorum excludere remotior in uno gradu excentem de primogenita? Ad que unanimiter Responderunt, nullo Reclamante vel contradicente, Quod Remotior uno Gradu linealiter descendens de primogenita, secundum leges & consuetudines utriusque regni preferendus est proximiori in Gradu excenti de secundogenita, in qualibet hereditaria successione. That is, Whether the more remote by one Degree in Succession, coming from the Eldest Sister, ought, according to the Laws and Customs of both Kingdoms, to Exclude the nearer by a Degree coming from the Second Sister? Or, Whether the nearer by a Degree coming from the Second Sister, ought by the Laws and Customs of those Kingdoms, to Exclude the more remote by a Degree, coming from the Eldest Sister? To which they unanimously answered without a Negative, The more remote by one Degree lineally descending from the Eldest Sister, according to the Laws and Customs of both Kingdoms, is to be preferred to the nearer by one Degree coming from the Second Sister, in every Hereditary Succession.*

[7] Ibm.
The main
Question be-
tween them.

That the Reader may more clearly understand this Question and Answer, it will be necessary to leave the *Record* a while, and set forth the *Pedigree* of both these Noble Persons. *Henry Prince of Scotland*, Son to *David I.* who died before his Father, left Three Sons; *William* called the *Lyon*, *Baltolm* called the *Maiden*, (because never Married) and *David Earl of Hunting-*

The Pedig-
rees of Ro-
bert Brus and
John Baliol.

William the *Lyon* had *Alexander the Second*, his only Son and Child; and he had *Alexander the Third*, his only Son and Child, who Married *Margaret*, Daughter to *Henry the Third*, King of *England*, and Sister to *Edward the First*; by her he had Two Sons, *Alexander* and *David*, who died without Issue, and one Daughter named *Margaret*, Married to *Eirik King of Norway*, by whom

D

whom she had *one only Daughter* named also *Margaret*, and called the *Maid of Norway*, and was *Queen of Scotland*; who dying without Issue, (as was said before) the whole Line of *William the Lion* failed, and the *Crown* reverted to *David Earl of Huntingdon*, Heir to *Margaret*.

David Earl of Huntingdon had Three Sons, *Henry* and *Robert*, who both died young, and *John*, Surnamed *Scot*, Earl of *Chester*, who died without Issue; and three Daughters, *Margaret* the Eldest Married to *Alan Lord of Galloway*, by him she had *one only Daughter*; *Margaret*, Married to *John Baliol*, by whom she had *John Baliol*, one of the Competitors for the Crown, in this Record so often mentioned.

His Second Daughter was *Isabel*, Married to *Robert Bruce*, by whom she had *Robert* her Son, the other of the Two Competitors here also mentioned.

And *Adama*, a Third Daughter, Married to *Henry Hastings*, from whence the *Earls of Huntingdon*.

By this Pedegree it appears, That *Robert Bruce*, Son to *Isabel* the Second Sister, was a Degree nearer to his Mother, and so in a Collateral Line to the Crown, than *John Baliol*, who was Grandchild to *Margaret* the first begotten or Eldest Daughter, in a Direct or Right Line to the Crown; Which gives the meaning of the Question and Answer; The Ground of which was a Controverted Point amongst the Feudists, Whether the next in Blood, tho of a Collateral Line (especially if a Male) should not succeed, before one more remote in the Right Line, some holding one way, some the other.

Upon the Answer above-mentioned, [8] as 'tis in the Record, the King caused the Matter to be exactly Re-examined before the Prelates and Noblemen of both Kingdoms, and Assigned to *Robert de Brus* and *John de Baliol* the 6th day of November, to hear their Sentence; Which was pronounced by the King Judicially, by the Advice of the Noblemen and Prelates of both Kingdoms, the Auditors aforesaid, and others of the Council. That *Robert* by his Petition should receive nothing concerning the Kingdom of Scotland; Quod predictus Robertus per Petitionem predictam nihil capiat de Regno Scotie. And as to *John Baliol*, there could nothing be done upon his Petition until the other Competitors were heard. When the King commanded *John Baliol*, the other Demandants and the Auditors, to go to the same place for the dispatch of their Petitions. Amongst whom *Robert de Brus* personally appeared, and protested he would prosecute his Claim to the Kingdom of Scotland, or a Third Part of it, after another Form and Manner then he had done before.

Then also came [9] *John Hastings*, Son to *Henry Hastings*, and claimed his Third part of the Kingdom of Scotland as of a Partible Inheritance; because, as he said, the Right of the Inheritance descended to *Margaret*, *Isabel*, and *Adama*, Daughters of *David Earl*

The meaning of the foregoing main Question.

[8] Rot. de sup. prioritate Regis Anglie, &c. ut supra.

The Titles of John de Baliol and Robert de Brus Re-examined.

Robert de Brus Excluded.

John Baliol's Sentence deferred.

[9] Ibid. John Hastings pretended the Kingdom of Scotland to be Partible, and claimed a Third Part.

Earl of Huntingdon, as to one Heir, and from them it ought to descend to *John Baliol*, *Robert de Brus*, and *John Hastings*, as Heirs, to the said *Margaret*, *Isabel*, and *Adama*; and gave this Reason, because all the Lands, Tenements, Fees, Liberties, Demours, and Honours that were holden of the Crown of England to Capite, were Partible. Then that the Homage and Service due from the King of Scotland to the King and Crown of England, shew it to be under the Common Law, and so Partible.

Robert Brus [1] his Arguments and Reasons were the same; And he said further, he claimed to hold his Third Part in Capite, of his Lord the King of England, Superior Lord of Scotland, by Homage; and Requests of his said Lord, he may receive Justice according to the Common Law of England.

And altho their [2] Arguments and Reasons had been sufficiently answered in the Defence of *John Baliol* before the Auditors, and related to the King, yet willing to deliberate with his Council, and the Auditors, upon these things, he Inquired of them, Whether the Kingdom of Scotland was Partible, who all answered it was not; Upon which Answer, the King appointed Monday next after the Feast of St. Martin as a peremptory day, for all the Competitors to hear their Judgments, in his Parliament at Berwick, intending in the mean time to Deliberate and Examine things with Knowing Men of Both Kingdoms, the Auditors, and others of his Council, that he might be fully informed what with Justice ought to be done.

On the 7th [3] of November 1292, which was the Monday after the Feast aforesaid, the Nobles and Prelates of both Kingdoms, the Auditors, other great Men, and a great Multitude of the Populacy, in the Hall of the Castle of Berwick, the Publick Notary, who signed these Acts of Court, with other Witnesses, Congregatis coram Edwardo Rege Anglie, superiori & Domino Regni Scotie, in Aula Castri de Berewico super Twedam, utriusque Regni Nobilibus & Prelatis, ac Auditoribus memoratis, aliis Magnatibus, & Popularibus in Multitudine copiosa, presente ibidem me Notario infra scripto, cum testibus subscriptis, &c. The Competitors claiming the Kingdom, having had notice and summons to be there, viz. *Eric King of Norway*, *Florence Earl of Holland*, *William de Vesey*, *Patrick Earl of March*, *William de Ros*, *Robert de Pinky*, *Nicholas de Soules*, and *Patrick Galigbtly*, not having appeared, but withdrawing themselves, as not having prosecuted their Petitions, it was adjudged, and Judicially pronounced by the King, with the Consent of the Noblemen and Prelates of Both Kingdoms, That they should obtain nothing by their Petitions; Consideratum est per idem Dominum Regem, & judicialiter pronunciatum, de consensu utriusque Regni Nobilium & Prelatorum quod per Petitiones suas nihil consequantur.

And because [4] *John Comyn*, and *Roger de Mundevile*, did not prosecute their Petitions, they had the same Judgment.

His Reasons why it was a Partible Inheritance.

[1] Ibid. Robert Bruce made the same Claim, and used the same Reasons.

[2] Ibid. The King's great Care before he gave Sentence.

[3] Ibid. A. D. 1292. 20th of Edw. the First.

Judgment given against Eight of the Competitors.

[4] Ibid. And against Two others.

[5] *Ibm.*

But as to the last [5] Petition of *Robert de Brus*, whereby he claimed the Third part of the Kingdom for his Share, as of a Partible Inheritance, because it appeared by his first Petition before the King, That he demanded the whole Kingdom of Scotland, he thereby acknowledged and granted, That the Kingdom was Impartible, and one intire Inheritance. Which Recognition and Concession he could not then deny; and for that it had been agreed and adjudged by the Prelates, Earls, Barons, Noble and Great Men, and the whole Council of both Kingdoms, That the Kingdom ought to be possessed by one Heir only, because of its own Nature it was impartible, as other Kingdoms, therefore it was adjudged and Justicially Declared by the King, That he should gain nothing by what was said in his Petition. Et quia per Prelatos, Comites, Barones, Proceres, & Magnates, totumque Consilium utriusque Regni concordatum est & consideratum, quod predictum Regnum uni heredi debeat remanere, pro eo quod de sui natura est impartibile, sicut & alia Regna. Idcirco per eundem Dominum Regem consideratum est & judicialiter pronunciatum, quod dictus Robertus ex his que in dicta sua Petitione continentur, nihil consequatur omnino.

Robert de Brus
his Second
Petition cast
out.

[6] *Ibm.*
John Hastings
his Petition
not allowed.

The same [6] Judgment had *John Hastings*, and for the same Reasons, That he should get nothing by his Petition, Quod nihil capiat per Petitionem suam.

[7] *Ibm.*
The Reasons
why the King-
dom of Scot-
land was ad-
judged to
John Baliol.

As to the Petition of [7] *John Baliol*, who demanded the whole Kingdom as his Right, the King caused it again to be Examined many days by the Council of both Kingdoms, and after a full Discussion, it was found, adjudged, and agreed, by all the Noblemen, Prelates, Auditors, and Wisemen, of both Nations, (Comperitum fuit manifeste, & per omnes utriusque Regni Nobiles, Priates, Auditores, & Sapientes Consideratum & Concordatum est, &c.) That the Kingdom of Scotland was impartible, and ought to remain to one Heir, and because the King was Judge of the Right of his Subjects, by the Laws and Customs of the Kingdoms, which was approved, agreed, and affirmed by all the Noblemen and Prelates of both Kingdoms, (Quod ab omnibus Regni utriusque Nobilibus & Prelatis est approbatum, concordatum & dictum,) And by the same Laws and Customs, in the Case before them, it was Agreed and Justicially Declared, That the more remote by Descent in the first Line, was to be preferred to a nearer in the second Line, in the succession of an impartible Inheritance. And also, That none of the Competitors denied him to be Heir of the first Line, and therefore was to be preferred before all others as next Heir to the Kingdom of Scotland by Hereditary Succession. And therefore the King of England, as Superior and Direct Lord of Scotland, Adjudged, (consideravit) That the said *John Baliol*, should Recover and have Seisin of that Kingdom, with all its Appurtenances according to the Form of his Petition, upon Condition, That he should rightly and justly Govern the People subject to him, that none might have occasion to Complain for want of Justice, nor the King as Superior Lord of that Kingdom, upon the Suit of the Parties, to interpose his Authority and Direction. The Right of the King of

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of England and his Heirs always Reserved in such Cases, when he would make use of it.

And accordingly [8] King Edward gave him his Writ of Seisin for the Kingdom of Scotland, directed to William and Robert Bishops of St. Andrews and Glasgo, John Comyn, James Seneschal or Stewart of Scotland, and Brian Fitz Alan his Guardians of the Kingdom of Scotland, to deliver him seisin thereof, with its Pertinencies, saving the Right of him, and his Heirs, dated at Berwick the 19th of November, in the 20th year of his Reign, Anno Regni nostri vicefimo; Which was a mistake of the Clerk, it should have been the 21st, he beginning his Reign November the 16th.

With this [9] there were also Writs of the same Date directed to the several Castellans, and Governors of Castles in Scotland, to give him possession of them.

The next [1] day, being the 20th of November, A. D. 1292, and in the year of the Reign of King Edward, ending the 20th, and beginning the 21st, (Et Anno Regni Regis Anglie Edwardi vicefimo finiente, & vicefimo primo incipiente) at Norham, he swore fealty to him, as his Liege and Superior Lord of the Kingdom of Scotland. In Testimony whereof he made to King Edward his Letters Patents of the same Date. His Oath of Fealty, and these Letters Patents are to be found both in Latin and French in this Record.

Afterwards he was put into [2] Corporal possession of the Kingdom at the Monastery of Scone near St. Johnston or Perth, and placed in his Royal Seat according to the Custom of Scotland. Duncan Earl of Fife ought to have placed him in his Throne, but being under Age *John St. John* was deputed by King Edward, [3] in Nova Creatione Regis, to do it for him.

On St. Stephens-Day, A. D. 1293, and the 21st of King Edward's Reign, [4] Anno a Nativitate Domini 1293, incipiente, Die Festi Stephani protomartyris, Anno Regni Regis Anglie vicefimo primo, ipso apud Novum Castrum super Tinam Existente, &c. He did Homage to him at Newcastle in this Form in French; [5] My Lord Edward, King of England, Superior Lord of the Kingdom of Scotland, I, *John King* of Scotland, become your Liege-man (or Vassal) for the whole Kingdom of Scotland, with its Pertinencies, and all what belongs to it; which Kingdom, I claim and hold, and ought of right to hold for me and my Heirs Kings of Scotland, Hereditarily of you and your Heirs Kings of England, and shall bear Faith to you and your Heirs Kings of England, of Life and Limb, and Tenent Honor, against all Men that may live and die; And of this Homage he made his Letters Patents of the same Date, Witnessed by Sixteen Bishops, Judges, and the greatest Men of England, and Twenty of the same Quality of Scotland, who at his Request put to their Seals.

With-

[8] *Ibm.* &
Append. n. 13.
King Edw. directed his Writ to the Guardians of Scotland, to give *John Baliol* possession of the Kingdom.

[9] *Rot. Scot.*, 30 & 31 Ed. I. M. 7. This is the same Roll Dr. *Superioritat.* &c. He swears Fealty to K. Edward.

And was placed in his Throne at the Monastery of Scone.

[3] *Rot. Scot.* at *supra*, M. 33. The same Roll.

[4] *Rot. Superioritat.* &c. at *supra*. The same Roll. A. D. 1293. 21 Ed. I. [5] *Ibm.* The Form of *John Baliol's* Homage.

[6] *Ibm.*

Within four [6] days after Homage done in this manner to King Edward, on the last of December, upon a Complaint made to him by Roger Bartholomew, Burgeis of Berwick, against some of his Auditors, or Judges, by him deputed in Scotland. He presently appointed his Justices there present Auditors of the Complaint. *Justiciarios ibidem presentes hujusmodi Querela constituit Auditores*, (whereof Roger Brabazon, Chief Justice of the King's Bench, was one) *strictly commanding them they should do quick Justice according to the Laws and Customs of his Kingdom*; before whom, and others of the King's Council, there was a Petition Exhibited on behalf of the King of Scotland, and by his Advice and Direction, by William Bishop of St. Andrews, John Earl of Boghan, Patrick de Graham, Thomas Randolph, and other Great Men of Scotland. That whereas the King of England, and Superior Lord of Scotland, had lately *promised to the Noblemen and Prelates of that Kingdom, That he would observe the Laws and Customs thereof, and that Pleas of things done there might not be drawn out of it. They beseeched the King of England, and his Council there present, in the Name of the King of Scotland, That he would, please to observe his Promise, and Command his Officers firmly to do the same.

A Petition exhibited, that King Edw. would observe his Promises.

* In the 18th of his Reign, in the Treaty of Marriage between his Son Edward, and the Maid of Norway Queen of Scotland.

[7] *Ibm.*
The Petition answered.

Roger Brabazon [7] answered this Petition, *Quod dicta petitio videbatur frustratoria*, &c. That it seemed idle and not to the purpose, for that it was manifest, and ought to be so to all the Noblemen and Prelates of the Kingdom, That the King had performed all his Promises, and not acted contrary to any of them; and as to the Complaints concerning his Judges and Officers, lately deputed by him as Superior and Direct Lord of that Kingdom, who then did Represent his Person, the Cognisance of Complaints concerning them belonged only to him, and no other, and he had especially referred it to himself; and also, that because in Judgments of the very Superior Lord, or of those that Represented his Person, no Subjects could pretend to it; and further said, That if the King of England had made any Temporary Promises when there was no King in Scotland, he had performed them, and that by such Promises he would not now be restrained or bound.

[8] *Ibm.*
The King's Protestation concerning the Petition and his Promises.

And the King of England made Protestation [8] before all the Noblemen and Prelates of both Kingdoms, then present, That notwithstanding his Temporary Promises and Concessions, he did not take himself to be bound, his Protestations otherwise publicly made, remaining in force, and that he intended, and would admit, and hear all Complainants whatsoever, and all other Business touching the Kingdom of Scotland, and its Inhabitants, by reason of his Superiority and Direct Dominion which he had, and of right ought to have, in that Kingdom, as his Progenitors in their times had, if they Lawfully, and for Just Causes came before him; and upon those Complaints every where, and at all times, if he pleased, to do them Justice; and to Use and Exercise his Superiority, and Direct Dominion, and to call the King of Scotland himself, if it were necessary, and the Quality of the Cause required it, to appear before him in his Kingdom of England.

Upon

Upon this [9] Resolution of King Edward, and the Answer of the Justice, to the Petition, John King of Scotland acquitted him of all Promises, Bargains, Agreements, and Obligations he had made to the Guardians and others of the Kingdom, *Custodibus & Prohibitis hominibus Regni*, while by reason of the Superiority of his Dominion, he held the Kingdom of Scotland in his hands, until he had done Justice to such as Demanded the Kingdom, and especially the Grant and Instrument made at Northampton, the 28th Day of August in the 18th Year of his Reign, in which the Promises and Grants set forth in the Petition were contained. With Confession that they had been all performed, when he had adjudged and fully Delivered the Kingdom to him, [1] which Release or Acquittance was Sealed with his own Seal, and confirmed with the Seals of the Bishops, Earls, Barons, and other Noblemen of his Kingdom; and Dated the Second of January 1293. in the Twenty First year of King Edward's Reign, and the First of King John of Scotland.

[9] *Ibm.*
John King of Scotland, &c. acquits: K. Edward of all his Promises, &c.

And Confesseth they had been performed.

[1] *Ibm.*

Within a short time after this Protestation, and Release, there happened a great Case in Scotland, which was brought by way of Appeal unto King Edward, by [2] Magdolph Earl of Fife, against John King of Scotland. To whom he Directed his Writ to appear [3] before him on the Morrow of Holy Trinity, where-ever he should be in England, to answer what Magdolph had to say against him: But then not appearing, the King directed another Writ to Summon him to appear before him Fifteen Days after Michaelmas, to answer as before. [4] The Earl of Fife's Complaint was, That when King Edward was last at Berwick, he commanded William Bishop of St. Andrews, and his Fellow Guardians of the Kingdom of Scotland, That they should do Right to Magdolph concerning his Lands and Tenements of Reris and Crey, of which he had been Disseised by the said Bishop as Guardian of Fife, *Tunc Custodem Comitatus de Fife*. Of which according to the Precept he had recovered Seisin by the Judgment of the Guardians: When John King of Scotland disseised him again of the same Lands and Tenements; and that he might not further prosecute his Right, imprisoned him, and caused an unjust Judgment to be given against him, in Contempt of the King of England and Superior Lord of Scotland, and to his own great Damage.

[2] *Ibm.*
The E. of Fife Appeals the K. of Scotland, before the K. of England.

[3] Ryley Placita Parl. E. 154, 155. He appears not, and a Second Writ is directed to him.

[4] *Ibm.* f. 157. The E. of Fife's Complain.

The King of Scots [5] appeared before the King and his Council in his Parliament after Michaelmas, and denied all Contempt of the Lord his King, and said he had not Day to Answer the said Magdolph; who Replied, He had that very Day appointed him to Answer, by the King's [6] Writ delivered to him by the Sheriff of Northumberland at Strivelin, on the morrow after St. Peter, in Bonds (that is the 2d of August) which sufficiently appeared by the Return of the Sheriff; and the King of Scots being asked, whether he had the Writ delivered to him by the Sheriff, confessed it, and was then urged to answer [7] when, He said he was King of Scotland, and that he dare not Answer to Magdolph's Complaint, or any thing that concerned his Kingdom, without the Advice of his Subjects, *sine Consilio & proborum hominum Regni sui*; and Magdolph demanded Judgment against him as saying nothing. [8] Then he was told by the King he was his Liege-Man, and did

[5] *Ibm.* f. 158. The King of Scots appears. [6] *Ibm.* fol. 154, 155. the Particulars of the Pleadings on both sides.

[7] *Ibm.* f. 158.

* These Prohibitors could not be the Common or Ordinary People.

[8] *Ibm.* f. 159.

The King of Scots dare not Answer without advice of his People.

[9] Ibid.

[1] Ibid. f. 159, 160. He Petitions. K. Edward for leave to advise with them, and for longer time.

King Edward grants his Request.

[2] Rot. de Superioritate Regis Anglie, &c. ut supra. The Kat War with France and Wales. Parliament at St. Edmunds-Bury. A. D. 1295. 23 Ed. 1. * The Publick Notary that Drew up this Record, always begins the Year at Christmas.

[3] Ibid. Magdolph prosecutes his Plea in that Parliament. The King of Scots appears not, but sends his Excuse.

did unto him *Homage* and *Faalty* for the Kingdom of *Scotland*, and was ordered to come thither to answer, or say why he would not or ought not to answer before him; and he said as before, That he *could* not, nor *dare* answer to any thing that concerned his Kingdom, without consulting his People, *inconsultis probis hominibus Regni sui*. Upon this he was told he might require another Day, he answered, He would require none. It was then agreed, That the *Principal Plea* belonged to the King, and that he made *no Defence* against *Magdolph*; [9] and because he would not require Day, or shew Cause why he ought not to Answer, in *Elusion* of the King's *Jurisdiction* and *Superiority*, it was judged a *Contempt* and *Disobedience* to him; and that *Three* of his *Principal Castles* of *Scotland* should be *Seized* into his Hands; and so remain till he had given *Satisfaction* for his *Contempt* and *Disobedience*. But before the *Pronunciation* of the Sentence, he came before the King and his Council, and made *Supplication* to the King with his own Mouth, *ex suo proprio*, and *Delivered* it unto him with his own hand in *Writing*, in [1] French; to this purpose. *Sire jeo suy vostre home du Royaume de Escocce, &c.* Sir, I am your Man of the Realm of *Scotland*, and pray you for what I am come hither, for which concerns the People of my Kingdom, as well as my self, That you would forbear me while I speak with them, that I may not be surprized for want of Advice; for that those that are with me, will not, nor ought to advise me without others of the Realm; and when I have advice from them, I will answer at your first Parliament after Easter, and will behave my self towards you as I ought to do. The King advising hereupon at the Instance of the Great Men of his Council, and with the Consent of *Magdolph* granted his Prayer, and gave him Day until his Parliament after Easter, on the Morrow of the Holy Trinity. This is what is to be found in *Ryley's Parliament Pleas*, about this Case; and now we return to the Record again.

Which [2] tells us, That on that Day the Parliament ceased, or was not holden, (*Parliamentum cessavit, sive non tenebatur*) for that the King was Engaged in War lately raised against him in divers Countreys, as with the King of France in *Gascony*, and with the Welsh in *Wales*. Yet the suit between the King of Scots and *Magdolph*, which had begun before the Justices of the King's Bench in Parliament, was Continued and Prorogued, (*Loquela, &c. Continuada fuit & Prorogata*.) To the Parliament next to be holden, which was afterwards Summoned to be at *St. Edmunds-Bury*, on the Feast of *St. Martin* in Winter, (that is November 11.) which was in the 23d Year of King Edward, and in the Year from the *Nativity of the Lord, 1295.

The King of England [3] was at *St. Edmunds-Bury* that day, and there held his Parliament, where *Magdolph* strenuously prosecuted his Plea. But the King of Scots instead of appearing in Person, sent the Abbot of *Abirbrothok* with other Noblemen of that Kingdom, to King Edward, with Letters, to Excuse him that neither then or before he appeared in his Court in the Parliaments by passed, at the Day given, or appointed him. *Quod nec tunc, nec prius juxta quod Diem habuerat, ad Curiam suam, in preteritis Parliamentis, accesserat Excusavit*, pretending certain Causes of Excuse that he could not come in his own Person.

This

This Abbot [4] and those that came with him, brought not only an Excuse, but a Quarrel, and Demanded of King Edward Satisfaction for many and great Injuries, Oppressions, and Grievances, sustained by the Scots from his Subjects. To whom after deliberation, this Answer was given, That the King of England for certain Causes was coming toward the North parts, and that the King of Scots should then have sufficient Recompence to his own Content, for all Injuries could be proved done to the Scots, by his Subjects of England; and then appointed him a Day in the same Parliament, by the Continuation and Prorogation of the Justices representing his Person, against *Magdolph*, the First Day of March next following at *Newcastle* upon *Tyne*. Then expecting his being there, enjoyn the Abbot, and those with him, to give Notice to their King he should then Personallly appear, to Treat with the King of England about the Premises, and other Things touching the State and Tranquility of both Kingdoms, and their Inhabitants.

While the King was intent upon this Business, [5] he had certain Information, That the King of Scots, with his Prelates, Earls, Barons, and other Noblemen, Communities of Cities, and Towns, and others of the Chief Inhabitants of the Kingdom, had made a Confederacy and League with the King of France against him, sealed with both their Seals, and Counter-changed. [6] For Dispatch whereof, the King of Scots at the Instance of his Bishops, Earls, &c. sent four Procurators or Commissioners, *William*, Bishop of *St. Andrews*; *Matthew*, Bishop of *Dunkeld*; *John* de *Sonles*, and *Ingram* de *Umfreville*, the Sum of the League was,

First, That, Edward King John's Son, should Marry the Daughter of *Charles* of *Valois*, Earl of *Anjou*, the King of France his Brother.

Secondly, That the King of Scotland in the present War, should assist the King of France, against the King of England, and all Confederates as well by Sea as Land, against the Emperor of Germany, and others.

Thirdly, That he should at his own Charges make War against the King of England, when he was Employed in, or Diverted by War in other Places.

Fourthly, That as well the Earls, [6] Barons, Prelates, and other Noblemen, as far as of right they might, and also the Communities of this Kingdom of Scotland, should as soon as they could, send him their Letters-Patents, under their Seals, of their Consent to these Things.

Fifthly, That if the King of England Invaded Scotland, the King of France was to make War upon him in other Parts, to divert him, or if required, to send Forces into Scotland at his own Charges until they came there.

Sixthly, That if the King of England went out of his Kingdom, or sent many Forces abroad, the Commissioners promised, that especially in this Case, the King of Scotland should enter England with his

[4] Ibid. The Abbot and others that came to Excuse the King of Scots, Demanded Satisfaction for Injuries done them. The Answer to their Demands.

The King of Scots summoned to appear at a Parliament at Newcastle.

[5] Ibid. The King of Scots Confederates with the King of France.

[6] Ibid.

The Articles of the Confederacy.

[6] Ibid.

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while

whole Power, as far as he could, making War in the Field, besieging Towns, wasting the Countries, and by all possible ways Destroying England.

Seventhly, That they should not make Peace on either side, without the Consent of the other.

The League it self, and the Procuratory-Letters are to be found in this Record, and in *Hen. de Knighton Col. 2473.*

[7] *Ibm.*
King Edward goes to Newcastle.

Toward the [7] time appointed, the King of England prepared for his Journey to Newcastle, and sent before him the Abbots of Newminster and Wellebeck to the King of Scots, to give him notice of the Adjournment, and time of his coming, by whom he also Demanded certain Castles in the Marches to be Delivered to him, for his own and Subjects security, from the present Dangers, which when past, he should Receive again; and that he might so Receive them, without Difficulty, he sent by the Abbots his Obligatory-Letters for the Performance of his Promise.

[8] *Ibm.*
The King of Scots came not.

On the First of [8] March 1296, and the 24th of his Reign, the King was at Newcastle and staid there many Days, Expecting the King of Scots, he came not; the King of England moved nearer Scotland, to Banburgh and War, where he also Summoned and Expected him for some time, yet he neither came, nor sent to Excuse himself; but Returned the Homage and Fealty for himself, and all others of the Kingdom, to King Edward, and Defied him, by the following Instrument or Writing.

After a second Summons he Defies him.

[9] *Ibm.* *Hm.*
de Knighton Col. 2477.
The Instrument by which he returned King Edward his Homage, and Defied him.

TO the [9] Magnificent Prince Edward by the Grace of GOD, King of England, John by the same Grace, King of Scotland; Whereas you and others of your Kingdom, you not being Ignorant, or having cause of Ignorance, by your violent Power, have Notoriously and Frequently done grievous and intolerable Injuries, Contempts, Grievances, and strange Damages against us, the Liberties of our Kingdom, and against God and Justice, Citing us at your pleasure upon every slight Suggestion out of our Kingdom, unduly Vexing us, seizing our Castles, Lands, and Possessions in your Kingdom unjustly, and for no fault of ours, taking the Goods of our Subjects as well by Sea as Land, and carrying them into your Kingdom; Killing our Merchants, and others of our Kingdom, carrying away our Subjects and Imprisoning them: For the Reformation of which things we sent our Messengers to you, which remain not only undressed, but there is every Day an addition of worse things to them; For now you are come with a great Army upon the Borders, for the Disturbing us, and the Inhabitants of our Kingdom, and proceeding have inhumanly committed Slaughter, Burning, and violent Invasions as well by Sea as Land. We not being able to sustain the said Injuries, Grievances, and Damages any longer, nor to remain in your Fealty or Homage, extorted by your violent Oppression, we Restore them to you for our Self, and all the Inhabitants of our Kingdom as well for the Lands we hold of you in your Kingdom, as for your pretended Government over us.

[1] *Knighton*

[1] *Knighton* says this Letter was without Date; [2] *Walsingham* says it was sent about the beginning of April, when the Guardian and Lectur of the Prior Minors of Roxburgh, brought it to the King. Before this Restitution of Homage and Fealty, the Scots sent [3] to Rome, to have Absolution from their Oaths and Homage; and upon false Suggestions made to Pope Celestin, they were absolved by his Bull. *Deinde Scoti miserunt ad Curiam Romanam, pro absolutione habenda de Juramento suo prestitum Regi Anglie, & de Homagio suo illi factum, & per falsam suggestionem factam Celestino Pape, sunt absolvi per Bullam Papalem.*

This is a true Abstract of the [4] Roll or Record of the Superiority of the Kings of England over the Kingdom of Scotland, and of the Homages, and Fealties of the King and Kingdom of Scotland in the 19th, 20th, 21st, 22d, 23d, of Edward the First, A. D. 1291, 1292, 1293, 1294, 1295, containing 34 Membranes or Skins of Parchment drawn up by Andrew, sometimes Clerk to William de Tang, and Publick Notary by the Popes Authority, who was present with the Witnesses to every Act, (who were the best Men of both Kingdoms) heard, and saw the things done, and signed every Membrane, with his usual Mark or Sign; now remaining in the Tower of London, and Printed at large from the Roll, in Mr. Pryn's Second Volume of the History of King John, Henry III. and Edward I. Not known to any of our Historians, and therefore the Truth of these Transactions not understood, which makes a considerable part of the History of his Reign. And this Record doth convince Buchanan of Partiality and Falshood, of what he hath written in the latter end of his Seventh, and beginning or most part of his Eighth Book of the History of Scotland, and likewise Arch-Bishop Spotswood, and Sir Richard Baker, of great Errors and Mistakes in following him.

The Scots pursue their Designs of [5] freeing themselves from subjection to the English, and Command, That all the English that had Lands and Possessions in Scotland, should without delay quit the Nation, or come forth with all the Strength they had to Defend it against the English.

The King again [6] summoned the King of Scots to come to him, and with Force to assist him according to his Oath: The Scots answered unanimously, That neither they nor their King was any ways bound to him, or to obey his Commands, because they were absolved by Pope Celestin from their Oath, and from all Subjection he had extorted from them.

From Restitution of Homage and Fealty, and Defiance, they proceed to Arms, [7] enter England, Plunder, Burn, Wast, Kill, and Destroy where-ever they come.

To obviate these Infolencies, and Chastise them according to their Deserts, King Edward entered [8] Scotland on Wednesday in Easter-week, besieged and took Berwick Castle with a great Slaugh-

[1] *Ibm.*
[1] *Ib. 2. f. 66. n. 20.*

[3] *Knighton, ut supra, col. 2477. n. 20.*

[4] *In fine Rotuli. Vide Rot. Scotia 19 Ed I. folio 24. and with Chamberlains of the Exchequer in the 3d Treasury at Westminster, in a long Painted Box, in a great Wooden Chest the Original.*

[5] *Knighton, col. 2478. n. 10. 20.*

The English commanded to quit Scotland.

[6] *Ib. col. 2478. n. 20.*
The King again summons the King of Scots. He and they deny Subjection, pretending the Pope's Absolution.

[7] *Walsingham, f. 65. n. 50. Mar. W. f. 427. n. 40.*

The Scots Arm, &c.
[8] *Knighton, col. 4280, 4281. A. D. 1296.*
King Edward enters Scotland.

Bears the
Scots.

[9] *Ibm.*
They Beg,
and submit to
Mercy.

[1] *H. f. Angl.*
1.67. n. 40, 50.

The Tenor
and Form of
the King of
Scots Submis-
sion.

A. D. 1296.

[2] *Rot. Scot.*
24, *Chr. Ed. I.*
Pecunia 8.
He renoun-
ceth all Con-
federacies a-
gainst King
Edward, and
rendered to
him his King-
dom, and all
Homages and
other Rights
of that and
his People,
&c.

ter of the Scots; From thence he sent part of his Army to Reduce the Castle of Dunbar lately Revolted, which was done, by the Death and Destruction of a great many Scots; Ten thousand, says my Author, Seven Barons, an Hundred Knights, and Thirty one Esquires, were taken in the Castle; The Scots Army coming to Relieve it, Twenty two thousand of them were slain. From thence King Edward marched to Edinburgh, which Castle he took in Eight days; From thence he marched to Sterlin, where the Earl of Ulster came to him out of Ireland with a great Body of Men; and hither the King of Scots, and many of his great Men, sent to beg his Mercy; [9] King Edward appointed them to meet him at Brechin some few days after, where they submitted to his Mercy and Favour, without making any Terms, or Conditions whatever.

The King's [1] Submission runs thus, as 'tis Translated from Walsingham's Latin Version of the French Original.

John, by the Grace of God, King of Scotland, to all that shall bear or see these present Letters, Greeting: Whereas we by Evil and False Counsel, and our Simplicity, have greatly offended and provoked our Lord Edward, by the Grace of God, King of England, &c. To wit, for that being in his Faith, and Homage, we have Allied our self to the King of France, who then was and is now his Enemy, propounding Marriage between our Son and the Daughter of his Brother Charles, and assisting him by War and otherways with all our Power. Furthermore by our Perverse Counsel aforesaid, we Defied our Lord the King of England, and put our self out of his Faith and Homage, and sent our People into England, to Burn, Spoil, Plunder, Murder, and commit other Mischief, fortifying the Kingdom of Scotland, that was his Fee, against him, putting Garrisons into Towns, Castles, and other Places. For which Transgressions our Lord the King of England, entred Scotland by force, Conquered and took it notwithstanding all we could do against him, as of right he might do, as Lord of the Fee, seeing after we had done Homage to him, we Rebelled against him. We therefore being yet free, and in our own Power, do render unto him the Land of Scotland, and the whole Nation with its Homages: In Witness whereof, we have caused to be made these our Letters-Patents, Dated at Brechin the 10th Day of July, in the Fourth Year of our Reign.

This Acknowledgment is also Recorded in the Roll of the Oaths of Homage and Fealty of the Scots a second time, made on several days, and in several places, [2] where he Renounceth all Confederacies, and unlawful Contrails, made in the Name of himself, his Son, and the Inhabitants of Scotland, against his due Homage and Fealty, he had done to the King of England for his own Kingdom. And further rendred to him his Kingdom, and all Homages, and all other his Rights, with their Pertinencies, suamque Regiam Dignitatem, necnon omnes Terras & Possessiones, &c. and his Royal Dignity, and also his Lands and Possessions, with all his Goods moveable and immoveable, gratanti animo & spontanea voluntate, pure & absolute, with a Gratefull Mind, and free Will, purely and absolutely, into the Hands of Antony Bishop of Du-

resne,

resne, receiving them in the place, and Name of the King, Vice & nomine Regis Anglie Recipientis. These things were done at Brechin the same day, before a Publick Notary, whom he commanded to publish, and make an Instrument of them, in perpetuam rei memoriam. The Bishop of Duresne, John Comyn of Badenauagh the Elder, Bryan Fitz-Alan, Knights, and Alexander Kenedy, Clerk, Chancellor to the King of Scotland, being specially called as Witnesses.

The Submission of James Stewart of Scotland is first Recorded in this [3] Roll, which was, That neither by force or fear, but on his own free Will, as he said, he came to the Faith and Will of the King of England, and renounced for him and his Heirs, all Confederacies, Contrails, and Agreements whatsoever made in his Name with the King of France, or his Adherents, against his Lord the King of England, if any such were freely, purely, and absolutely, sponte, pure, & absolute; and then took his Oath of Fealty in the Form following, and made thereof, and sealed his Letters Patents.

To all those that shall see or hear these Letters, [4] James Seneschal or Steward of Scotland, Greeting: For that we are come to the Faith and Will of the most Noble Prince, our Dear Lord Edward, by the Grace of God King of England, Lord of Ireland, and Duke of Aquitain: We promise for us and our Heirs upon the pain of Body and Estate, and whatsoever we can incur, That we will Assist and Serve him well and Loyally against all Persons that may live and dye, at all times when Required or Summoned by our Lord the King of England, or his Heirs; and we shall not know of any Damage done to them, but we will hinder it, to the utmost of our Power, and shall Discover it to them: And for the performance of this, we bind us and our Heirs and all our Goods, and further have Sworn it upon the Holy Gospels. In Witness whereof we have caused these Letters Patents to be made, and sealed with our Seal. Given at Roxburgh the 13th day of May, in the 24th year of the Reign of our Lord the King of England.

All the Bishops, and other Ecclesiastick Prelates, Abbats, and Convents, Priors, Friars, Parsons, Vicars, Abbeses, Nuns, Earls, Barons, Knights, Citizens, Burgeses, Aldermen, Commundaries of Cities, and Burghs, and other Commoners, or Inhabitants in Scotland, Recorded and Named in four [5] large Rolls in the Tower of London with this Title, De Juramentis homagii & fidelitatis Edwardo Regi Anglie nominatim prestitis, per unamquamque individuum personam Regni Scotie; Of the Oaths of Homage and Fealty made to Edward King of England, by every individual Person of the Kingdom of Scotland by Name made the same Submission, Renuntiation, and Oath, at several Places, and several Times, and made their Letters Patents of it, especially in the Parlement holden [6] at Berwick on the Othaves of the Assumption of the Virgin Mary, or 22d of August, in the year from the Nativity of our Lord 1296, by the Consent of the Noblemen and Prelater of both Kingdoms. These Rolls were not delivered unto the Kings Keeper of his Rolls, [7] until the 34th of his Reign; and they were

[3] *Rot. Scot.*
24, 25, 26 *Ed.*
[Pecunia] prima.
Append.
n. 14.
The Submis-
sion and Renun-
ciation of
James Stewart
of Scotland.

[4] *Ibm.*
The Form of
it.

The same
Submission and Renun-
ciation of the
whole King-
dom of Scot-
land.

[5] *Rot. Scot.*
24 *Ed. I.*
A. D. 1294.
24 *Ed. I.*

[6] *Ib. Pecunia*
20, 21, &c.
Append.
n. 15.

[7] *Chron. 34.*
Ed. I. Dury. 91

were drawn up by the same Notary, *Andrew* before-mentioned, who was present, heard, and saw what was done, as 'tis Recorded at the end of the Roll, *Pecia 35*; And the same Instrument of Homage and Fealty with the Chamberlains of the Exchequer in the 3d Treasury at *Westminster*, with other Things and Instruments in small Boxes in great Wooden Chests.

This done, [9] King *Edward* caused the Stone used by the Kings of *Scotland* as a Throne, to be brought to *Westminster*, appointed *John Warren* Earl of *Surrey* and *Suffex*, Governor of *Scotland*, *Hugh de Cressingham* Treasurer, and *William Ormesby* Justiciary, sent King *John Baliol* to the Tower of London, where he was decently attended; and the Noblemen of *Scotland*, which he brought into *England*, were forbidden to pass the River *Trent* under forfeiture of their Heads.

From *Scotland* we are to return to *England* and *France*, where we find the Peace between them, which had continued for some time, broken: The Quarrel at first began between the [1] English and French Seamen, who plundered one anothers Ships, and seized them where-ever they met at Sea, or in Harbour; from single Ships, they brought Fleet against Fleet, each side complained to their Kings, and Satisfaction was demanded on both sides; Several Endeavours were used to Compose these Differences, the Two Queens of *France*, Consort and Dowager, mediated a Peace, and were forward in it.

The Pope sent Two Cardinals to the Two Kings to the same purpose, divers Means were contrived for Satisfaction on both parts, but none took effect; The King of *England* offered an Interview, or a Reference to Commissioners to end all Controversies, and adjust the Losses and Damages of the Subjects of both Nations, but neither was accepted; The King of *France* charged him, That his Subjects and Merchants were Robbed, spoiled of their Goods, and imprisoned by his Consent, and also with Contempt and Rebellion, in denying his Superiority and Dominion in *Aquitain*; For which he peremptorily [2] cited him to appear at *Paris* Twenty days after Christmas-Day, to answer what should be objected against him, to stand to the Law, and hear Judgment: King *Edward* neglected the Citation or Summons, and was by the Universal Sentence of the Peers adjudged to have forfeited all his Lands in *France*, and the Constable was sent with an Army to take possession of that Dukedom.

Upon this seizing of *Gascony*, King *Edward* [3] called a Parliament after *Whituesday* next following, in which it was Resolved to Recover *Aquitain* or *Gascony* by Force and Arms; whereupon * he sent the Arch-Bishop of *Dublin*, and the Bishop of *Durham*, with other Great Men, to the Emperor of *Germany*, (called then King of *Almain*) to make an Alliance with him against *France*, and for 100000 l. Sterling paid unto him, (a good Sum in those days) the King and Emperor became acquainted, who were scarce known to one another before; all Difficulties between them were overcome, and great Things were expected from this Alliance. The King intending to pass into *France* with an Army, was detained

[9] *Walshg.* f. 68. n. 10. & n. 30. 40. King *Edward* appoints a Governor of *Scotland*, and other Officers there. He sends *John Baliol* to the Tower, &c.

[1] *Mat. W. fl.* f. 419. 420. 421. &c. *Walshg.* f. 57. n. 50. &c. A. D. 1291, 1292, 1293, 1294. &c. Peace broken between *France* and *England*.

The Charge against King *Edward*.

[2] *Mat. W. fl.* f. 419. n. 40. the Writ of Citation is very long. He is cited to appear at *Paris*. And upon non-appearance adjudged to have forfeited his Lands in *France*.

[3] *Ib.* f. 421. n. 20. A. D. 1294. 22 Ed. I. * *Ib.* n. 50.

tained at *Portsmouth* by * contrary Winds from *Midsummer-day*, to the Exaltation of Holy Cross (i. e. the 14th of September.) On the Vigil of St. *Mathew* the Apostle, he called another [4] Parliament, (or happily this might be the same) wherein to support the War the Clergy granted a Moiety of their Benefices and Goods, at three Payments, whereof the first to be at the Feast of All-Saints next coming, the second Fifteen days after *Easter*, and the third Fifteen days after *Midsummer*, the Writ appointing the Collectors in the Diocese of *Canterbury* bears Date *Septemb. 30.* and is to be found amongst the Records of *Trinity-Term*, 22 Ed. I. Rot. 68, with the King's Remembrancer in the Exchequer.

On the [5] Morrow after St. *Martin*, or the 12th of *November* next following, the Earls, Barons, Knights, &c. gave a Tenth part of their Goods on this very first day of the Parliament, and the Commissions to the [6] Taxors and Collectors of it, are Dated the same day.

The Citizens, Burgesses, and Tenants of the King's Demesnes paid a sixth part of their Goods, but not granted in Parliament, there were Commissioners sent unto every City, Burgh, and Town of his Demesnes, [7] to Require and Induce them, to pay a certain Sum charged upon, or demanded of them toward the War, which at this time was a sixth part of their Goods, which was required first, and granted in *London*, as an Example to other Places; The Commissions for all Counties in *England* bear Date the 21st of *Novemb.* 23d of Ed. I.

The King wanting more Money to carry on the War against *France*, in his [7] Writ of Summons, directed to *Robert Winchelsea* Arch-Bishop of *Canterbury*, to a Parliament to be holden on the Sunday next after St. *Martin*, or the 10th of *November*, told him, That he could not but sufficiently understand, since it was known all the World over, That the King of *France* had fraudulently surpris'd *Gascony*, and not content therewith had provided a Navy and Army to invade *England*, and destroy the Nation and Language, if his Power were answerable to his Detestable Purpose; To prevent these Dangers and Designed Mischiefs this Parliament was called, but it sat not on that day, the King being busied at *Winchelsea* in Equipping his Fleet for the Defence of the Kingdom, and so could not be there, and for this cause, as 'tis said in the [8] Writ it self, it was Prorogued before meeting, unto the Sunday next before St. *Andrew*, which was in the 24th of his Reign, the 23d ending *November 16th.* In a short time the Clergy gave the King a Tenth of all their Moveable Goods, toward Maintaining the War; The Earls, Barons, and Knights, and others of the Kingdom, Comites, Barones, Milites, & omnes alii de Regno in subsidium Guerre nostre, gave an Eleventh part of their Moveable Goods, Nobis [9] undecimam fecerunt, &c. And the Citizens, Burgesses, and good Men of his Demesne Cities and Burghs, granted him a Seventh part, &c. Et Civis & Burgenses, & alii probi homines de Dominicis nostris Civitatibus & Burgis, septimam nobis concesserunt, &c. The Writ for Levying and Collecting this Seventh and Eleventh is dated *Decemb. 4.* very few days after their meeting, in the 24th of his Reign.

* *Ibm.* f. 422. n. 10. [4] *Ib.* f. 422. n. 30.

[5] *Claufr.* 23. Ed. I. M. 6. Do f. A Tenth granted by the Livery the first day of the Parliament. [6] *Par. 22.* Ed. I. M. 2. in codicis The Citizens, &c. pay a Sixth part. [7] *Inter Records* 23 Ed. I. n. vcl. Rot. 73 per Remem. Regis in faciar.

[7] *Claufr.* 23. Ed. I. M. 3. Dors. Dated, Sept. 30. Summons to Parliament.

The King of *France* provides a Fleet and Army to invade *England*.

[8] *Ib.* M. 2. Dors. de separatione guerra-gande.

[9] *Par. 24.* Ed. I. M. 22. De undecima & septima levand. & Collectand.

The Scots take advantage by this War with France.

[1] *Walsingh.* f. 62, 63, &c. And also the *Wilsb.*

* *Fol.* 325. A. D. 1295.

[2] *Walsingh.* 1. 68. N. 30, 40.

Parlement at St. Edmunds-Bury, A. D. 1296. [3] *Append.* N. 16.

[4] *Walsingh.* Or *Ispra.* N. 40, 50. The Clergy deny the King a Subsidy. He summons another Parliament.

* *Mat.* 157, f. fol. 428. N. 30. The King shuts up the Barns and Granaries of the Clergy.

The King of Scots by the Instigation of his People, taking advantage of this Rupture between England and France, obstructed the Vigorous Prosecution of the War against the French, and thinking to Disengage himself and them from the Power of King Edward, behaved himself, and suffered as hath been related before in its due place.

The [1] Welsh these two or three last Years, having, as they thought, opportunities by King Edward's being Diverted by his Wars with France and Scotland, attempted several times under divers Leaders, to Free themselves from Subjection to the English, were at length reduced to perfect Obedience. * *Mexery* the French Historian says, both these Nations put themselves in Arms against King Edward, by the Instigation and Procurement of the King of France.

Immediately [2] after the King and whole Kingdom of Scotland upon their Defections, were reduced to obedience, and had the second Time done Homage, and sworn Fealty to King Edward (as we have heard before) he issued his Writs for a Parlement to be holden at St. Edmunds-Bury on the Morrow of All-Souls, or Third of November, Dated the 26th of August, in the 24th of his Reign, at *Berwick upon Tweed*. [3] In that directed to the Archbishop, he tells him, That he, the other Prelates, and Clergy, late assembled at *Westminster*, when they Granted the Tenth of their Rents and Benefices, for the Defence of the Kingdom, until the Feast of St. Michael then next coming; which Grant was accepted by him, in hopes of a more plentiful Aid for the future, from him, and others, which they promised should be sufficient for the same Cause, unless in the mean time there was a Peace or Truce made between him and the King of France: Therefore he enjoined him to be with his Prior, Archdeacon, and Procurators of the Clergy, at *Bury* at the time appointed, to order the Quantity and Manner of the Subsidy. The Writs to the other Bishops, the Abbots, &c. were like to this. Those to the Noblemen and Sheriffs, were only to Treat about the Dangers impending upon the whole Kingdom, and Remedies to prevent them.

In this Parlement the Citizens and Burgeses gave an Eighth Part of their Goods, the rest of the Laity granted a Twelfth Part, the Clergy Nothing, by reason of a Constitution made that Year and Published by Pope Boniface. [4] *A quo Parlamento a Croitibus & Burgis concessa est Regi octava, a populo vero reliquo (i.e. a Comitibus, Baronibus, & Militibus) Duodecima pars bonorum, Clerus ob constitutionem Bonifacii Pape hoc Anno editam, &c. Regi pro Guerra sua subsidium petenti Denegavit.* The King in hopes of a better Answer, deferred this Business, to be treated on in another Parliament to be holden at London on the morrow of St. Hilary, January the 14th.

In the mean time, *the King caused to be shut up and secured all the Barns, Granaries, and Store-houses of the Clergy, and the Archbishop sent the Pope's Bull to be published in all Cathedrals,

dials, forbidding, under the Pain of Excommunication, any thing to be paid to Secular Princes, out of Ecclesiastick Revenues. The Bull or Constitution runs thus: Boniface, &c. For the Perpetual Memory of the Matter, &c. 'tis often delivered from Antiquity, that Lay-men are spiteful to Clergy-men, and the Experience of the present Times manifestly declares it, while not content with their own Bonnds, they strive after what is forbidden, and let themselves loose to do Evil, not wisely attending, that for them to have any power over Clerics, or Ecclesiastick Persons, and their Goods is prohibited, yet they impose grievous Burthens upon Prelates, and Ecclesiastics, Regular, and Secular, they Tax them, and Exact and Extort from them a half Part, a Tenth, a Twentieth, or some other part of their Revenues and Goods, endeavouring many ways to bring them into Servitude and under their Power. And with Grief we relate, some Prelates and Ecclesiastics fearing where no fear is, seeking transitory Peace, fearing more to offend Temporal, than Eternal Majesty, they acquiesce in such Abuses, without Authority from the Apostolic See. We therefore desiring to obviate such Acts, with Advice of our Brethren, by Apostolic Authority do Ordain, That those Prelates, Ecclesiastics, Religious or Secular, of what State, Order, or Condition soever they be, who shall Pay, or grant to Pay, any Taxes, or Impositions, an Half, a Tenth, Twentieth, an Hundredth, or any other Part or Portion whatever, of the Revenues of their Churches or Goods, to Lay-men, under the Name of an Aid, Assistance, Lending, or Gift, or under any other Pretence or Colour whatsoever, without the Authority of the same See. Also those Emperors, Kings, Princes, Dukes, Earls, Barons, Great Men, Captains, Officers, and Governors, by what Names soever they are known, or any other of what State or Condition soever, that shall Impose, Exact, or Receive such things, or shall Arrest, Seize, or presume to take the Goods of Ecclesiastics, deposited and secured in Churches, or that shall Command them to be Arrested, Seized, or Taken; likewise all who Knowingly shall give any Advice, Assistance, or Favour in these Matters, for that very Thing, and in that Moment, shall incur the Sentence of Excommunication. The Communities or Universities, or Bodies Politick, that shall be Guilty of these things, we put under Ecclesiastick Interdict, straitly commanding the Prelates, and Church-men, by Virtue of their Obedience, and under pain of being Deposed, that they acquiesce not in these things, without Express Licence of the said See. And that under Pretence of any manner of Obligation, Promise, or Concession now made, before this Constitution, Prohibition, or Precept shall come to their Knowledge, or afterwards they shall not Pay, or the foresaid Seculars Receive any thing any manner of way. And if they do Pay, or the others Receive, that very Moment in doing it they shall fall under the Sentence of Excommunication, nor shall they be absolved from Excommunication or Interdict, without special Licence, and Authority from the Apostolic See, unless at point of Death: For we intend not by Dissimulation to pass by such an horrid Abuse of the Secular Powers; Notwithstanding any Privileges under any Tenor, Form, or Conception of Words whatever, Granted to Emperors, Kings, and others aforesaid, which we will not shall any way help, him or them against the Premises: Therefore no Man may lawfully Dare to do any thing contrary to this Constitution, Prohibition, or Precept. Dated at St. Peter's in Rome the 6th of the Kalends of March, in the Second Year of our Pontificate; That is, February 24th 1296, in the 24th of Ed. 1.

[5] *Append.* N. 17. Pope Boniface his Bull, Prohibiting the Clergy to pay Taxes to Secular Princes.

[6] Conf. d. va-
110 inter R. & G.
& Countess
Flandria. pat.
25 Ed. 1. Part. 1.
M. 18.

The Confede-
racy between
K. Ed. and the
E. of Flanders.

The Articles.

Notwithstanding the Clergy denied the King an Aid according to this *Papal* Prohibition; yet he proceeded in his War, and made [6] a *Confederacy* with the *Earl of Flanders* against the *King of France*; Complaining, That he being a *Peer of France*, and in *Hommage* to the High and Puissant *King Philip*, he oppressed and used him according to his own Will, contrary to Reason, Justice, and his own Desert; and therefore, because he was so Strong and Powerful, not acknowledging any Superior, by Advice of his *Prelates, Earls, and Barons*, he made *Alliances and Covenants*, with his *Friends*, to endure from that time forward for Ever, (*a touz jours perpetuellement*) and particularly with the *Earl of Flanders*.

First, That if the *King of France*, or his *Heirs*, should make War upon him or his *Heirs*, then the *King of England* should Aid and Assist him against the *King of France*, and all his *Assistants*, by his *Allies* beyond Sea, and by his own *Subjects*, Faithfully and according to his Power.

Secondly, That the *Earl of Flanders*, and his *Heirs*, *Earls of Flanders*, and their *Allies*, should Aid the *King of England*, his *Heirs*, and *Allies*, in the same manner, and that within two Months after notice from the *King of England*, in this present War, he was to make upon the *King of France*.

Thirdly, That neither the *King of England*, nor his *Heirs*, nor the *Earl of Flanders* and his *Heirs*, should make Peace, Truce, or Surrenderance, (i.e. Cessation of Arms) with the *King of France* and his *Heirs*, without the Assent, Grant, and Consent of each other.

Fourthly, That the *Earl of Flanders* might better and more surely sustain and undergo so great an Affair, and so great a War, as he had Covenanted to do, against the *King of France*, his *Allies*, and *Assistants*. Et pur ceo que cuens de Flandres, peust mieuz & plus surement, sustenir & endurer si grant benoign, & si grant fais de Guerre come il convendra contre le Roy de France & ses Alliez, & ses Aidantz. King Edward granted for him and his *Heirs*, to the *Earl of Flanders*, and his *Heirs*, every Year during the War, Sixty Thousand **Livres* of Black Turnois, or other Current Money at Two Payments, within the *Earldom of Flanders*, (Chescun an Durant le susdit Guerre seillante Mille *Livres* de Turnois Noirs, &c.) at every Payment Thirty thousand *Livres*; the First to begin at Christmas, 1297. (an Noel qui sera l'an de Nostre Seigneur Mil deux centz quatre vintz & Duseptz) and the Second at the Natiuity of St. John Baptist following. These Payments were to endure so long as the War should endure.

Fifthly, That these *Alliances* made between them might no ways be defeated, neither by the Command of, or Purchase from the *Pope*, or any other, nor for any thing that might be any ways Obtained or Granted without their joint Consent. Ne par Commandement, ne par purchaz D'Apoistolle, ne d'autri, ne pur choise qui fait impetree, ne otrogee, &c.) and if any thing was obtain'd it was agreed on both Parts to Reject, and not use it.

For

* Four of these
Livres made a
Pound Ster-
ling; so that
this was the
value of
15000 l. Ster-
ling.

For the Faithful Performance of this Agreement, *King Edward* solemnly Sware to the *Earl of Flanders* by his Proxies *Monsieur Hugh le Despenser*, and *Monsieur Walter Beauchamp*, Steward of his Household. And by that Oath he further Agreed and Covenanted with the *Earl of Flanders*, That his Son *Edward* when he was of Age should Grant, Agree to, and Confirm this Form of Alliance and Confederacy: Which was Dated at *Ipswich*, and Sealed with his Seal, on the Morrow of *Epiphany*, or the 7th of January, 1296. in the 25th of his Reign. Et pur ce totes ces choses soient plus seurez, tenuz, & Gardez mieuz, & plus fermement, nous en noun de sovenance, & de Tesmoignage avous cestes presentes Letters fait sealer de nostre Seal; Les queles jurent faites & Donees a Gippewiz lendemain de la Epheany l'an de Grace, Mil deux centz quatre vintz & Jesse; & de nostre Regne vintisme quint. The Record is long and Tautological, but this is the very Substance of it.

Besides [7] the Annual Sum here granted, for the further Support of *Guy Earl of Flanders*, and *Marquis of Namur* in this great Undertaking against the *King of France*, in another Instrument in the same Roll and Memorane, and in Respect of the Alliance he had made with him, and the Covenants and Alliances mentioned in his Letters aforesaid, *King Edward* gave him Three hundred thousand *Livres Turnois Noirs*, (That is Seventy five thousand Pound Sterling) to be Received by his own People, without any Deduction, That is to say, 200000 *Livres* upon his Assent to the Covenants; 60000 *Livres* at Christmas following; 24000 at Candlemas following; and 70000 *Livres* at Easter, or Fifteen days after, or at the farthest at Whitsunday: This Sum is obscurely hinted in the preceding Confederacy, and this Grant is Dated at *Ipswich* the same Day and Year.

Yet farther, as Part of this Alliance in another Record in the same Roll and Membrane, 'tis agreed, That *Edward* the King's Eldest Son, so soon as he was of Age should Marry *Philippe* Daughter of the *Earl of Flanders*, if the Match was not hindered by the *King of France*, her Death, or any other occasion that might happen, si le dit Marriage naloit este accomplir par lempeschement du Roy de France, ou par la mort de la dite Philippe, ou par autre occasion, quelle que Ele avenist; but if so, then he was to Marry his other Daughter *Isabel*. And this was to be performed without any hindrance of *King Edward*, or any other; to which, he was not to consent, nor to any Absolution of the *Pope* or others, against these things, Nene consentinet a la absolucion Encomtee ces chose, ne autre Empeschment d'Apoistolle, ne d'autrui. Dated at *Ipswich* the same Day and Year.

† *Guy Earl of Flanders*, with his Wife and Daughter *Philippe*, had been allured to *Paris* above a Year before, by seemingly very kind Letters from the *King of France*, where they were all made Prisoners; the Father and Mother were Released about Twelve Months after, but the Daughter was kept with Design to prevent this Match, which would have been very Disadvantageous to *France*; *Murray Hist. Fol. 325. A. D. 1294.*

F 2

The

* Walsingham, F. 69. N. 30. The Clergy meet at London, and deny the King Aid a second time. * Ibm. F. 69. N. 30.

The Reasons of this Denial.

The Clergy * met the Second time at London, according to the King's Appointment, on the morrow of St. Hilary, that is, the 14th of January, when they continued their Refolution, and Denied to give him an Aid or Subsidy for the Carrying on his War against France, according to the Pope's Inhibition * procured by the Archbishop, with the Consent of the Clergy.

All our Historians report the Refusal of the Clergy, but none of them is so Express in giving the Reasons for it as *Knigh-ton, Col. 2491*. N. 10. 20. where he tells us, That after the Clergy had refused to give the King an Aid, *Robert Winchelsey* Archbishop of *Canterbury* spake thus to the Bishops, *Satis vobis constat Domini mei, nec latere potest, quod sub Omnipotenti Deo duos etiam Dominos habemus, Spiritualem & Temporalem; Spiritualem vero Dominum Papam, & Temporalem Dominum nostrum Regem, & quamvis utriusque obedientiam debeamus, Majorem tamen Spirituali, quam Temporalis, &c.* My Lords, You know well, that under Almighty GOD we have two Lords, a Spiritual and Temporal Lord; the Spiritual the Pope, and Temporal our King; and altho' we owe Obedience to both, yet greater to the Spiritual than Temporal; but that we may please both, we will send special Messengers at our own Charge to our Spiritual Father the Pope, to have leave to Grant something, or at least Direction what we ought to do in this Case. *Ut Licentiam aliquid concedendi habere possimus, vel saltem Responsum habeamus ab ipso, quid facere Debeamus. Credimus, &c.* for we believe the King, as well as our Selves, doth Fear, and would avoid the Sentence of Excommunication.

After this Denial, he went on Progress or Pilgrimage, to visit his Tutelar [8] Saint, or Protectress in Dangers or Adversity, the Lady of *Walsingham* in *Norfolk*, where his Procurators, [9] *Hugh le Dispenfer*, and *Walter de Beauchamp* Steward of his Household, at his Command and in his Presence, (it not being the Usage for him any ways to Swear in his own Person) did Swear (*en la Chapelle de nostre Dame a Walsingham*) in the Chapel of the Lady of *Walsingham*, for him and his Heirs, Kings of *England*, and in his Name, according to the Power given them, (which he acknowledged) That they should Perform and Fulfill all Matters and Things contained in the Instrument of Alliance between him and the Earl of *Flanders*, *Nous qui de usage avoions, que nous en propre Personne ne juronny, reconissons que le dit Monsieur Hue & Monsieur Wautier sejoins nous Procureurs, & leur donans poer e mandement, &c.* par le testimony de cestes presentes Lettres, &c. by Witnests of these present Letters, Dated at *Walsingham*, (le jour de la Chandeleur) on the *Candlemas-Day*, in the Year of Grace, 1296, and of our Reign the 25th.

Anthony [1] Bishop of *Duresu*, *Walter* Bishop of *Chester*, and *Hugh le Dispenfer* (pur ceo que en sa propre Personne le Roy nad mie nse a jurer) for that the King uses not to Swear in his proper Person, did in like manner, by the Power and Authority given them by the King, Swear, That he should Fulfill and Keep all the Articles of the Covenants of Marriage between his Son and the Earl

[8] Ibm. f. 44. lin. 8. The King goes on Pilgrimage.

[9] See a particular Instrument about this Matter in the Record above.

Procurators to swear to the Articles of Confederacy, on behalf of the King.

[1] Ibm. in another Instrument.

The King's Proctors sworn to the Covenants of Marriage, &c.

of *Flanders* Daughters; This Instrument is also dated at the same place, on *Tuesday* after *Candlemas*, *Le Mardy apres le Chandeleur*.

A few days after the Confirmation of this Confederacy, the King being much moved at the Backwardness, Unkindness, and Stiffness, of the Clergy to assist him in this War against France, gave Command, [2] That all the Lay Fees of the whole Clergy, as well Arch-Bishops, Bishops, and Religious, as of other Clerics whatever, and of whatever State or Condition they were, together with their Goods and Chattels found upon the same, should be seized into his hands, until the Sheriffs should receive other Commands from him; Which Writs or Warrants to all the Sheriffs of *England* were dated at *Ely* in his return from *Walsingham*, *February* the 12th.

This Writ was rigidly Executed, as appears by the Protections hereafter mentioned, and the Report of all Historians; and as the Monk of [3] *Westminster* says, the Clergy were also put out of the King's Protection, and so as the Lawyers were prohibited to plead for them before the Barons of the Exchequer, or any Temporal Judge; and that all in Orders were commanded freely to pay to the King the Fifth part of their Revenue, or quit their Estates; Sponte offerre sibi suorum proventuum quintam partem, aut invitè cedere omnibus Bonis suis. The first that complied and obeyed this Command, were some *Shaveling* Prelates in Court, but in the Cure of Souls manifest Pirates, that they might bring in others to the like Compliance. The Monk thinks he *Latines* this very sharply and wittily, [4] *Hinc mandato primitus obtemperaverunt quidam Tonforati in Curia Regali Prelati, in Cura vero animarum Pilati manifesti, ut inducerent pari modo animos caterorum.*

However it was, before this Writ issued, the Clergy especially of the Province of *Tork*, and more particularly of the *Dio-ceses* of *Tork* and *Carlisle*, having great Apprehensions of the King's Anger, and their own Condition, by early application, and granting the Fifth of their Benefices and Goods, for the Defence of themselves and their Churches, against the Invasion and Attempts of the Enemies of the Kingdom, obtained his Protection [5] for themselves, Tenents, Lands, Rents, Goods, and all their Possessions whatever, which were to be protected, maintained, and defended, from all Injury, Trouble, and Damage, until the Feast of *All-Saints* next. This Writ of Protection bears Date at *Walsingham*, *Febr. 6.* in the 25th of his Reign, and only by Privy Seal, but on the 18th of the same [6] month passed the Great Seal, by Warrant from the King.

The same [7] Protection was given to the King's beloved Clerk *Ilerius de Ingolisme*, Arch-Deacon of *Bath*, his Tenents, Lands, Rents, and Possessions, and for the same time, that is, unto the Feast of *All-Saints*. Dated at *King-Langley* in *Herfordshire* the 18th of *February*; and the same was granted [8] to *John de Melingham*, *Lambert de Trikingham*, *John de Lacy*, *Radhulph*

The King moved at the unkindness of the Clergy.

[3] Append. n. 18.

Ordered the Lay fees, &c. of the Clergy to be seized.

[5] Fol. 429. n. 30. The Clergy put out of Protection.

[4] Ibm.

The Clergy of the Province of *Tork* comply with the King, and receive his Protection.

[5] Append. n. 19.

[6] Ibm.

[7] Append. n. 20.

Many others submit, and receive the King's Protection. [8] Ibm.

dalp de Staunford, John de Drokenford, and an Hundred and twenty others, dated at the same time and place; and to as many as would submit, and seek for them.

Writs of Re-
stitution
granted to
the Clergy.
[9] Append.
n. 21.

Besides these Writs of Security and Protection, to such whose Lands were not seized, nor Goods taken, he also granted Writs of Restitution to those whose Lands and Possessions had been seized, and their Goods taken. As for Example, take one [9] for many, which was granted to the Prior and Brethren of the Hospital of St. John's of Jerusalem in England. Dated at Ambresbury in Wiltshire the 25th of February, in the 25th of his Reign. Great Numbers of other Writs of Protection and Restitution, granted to Bishops, Parsons, Vicars, Abbots, Priors, Friars, and other Ecclesiastick or Religious Persons, may be seen and perused in the Close Roll 25 Ed. I. M. 22. to M. 26.

They enter
into Recog-
nizances to
save their
Estates.

Many there were that through Negligence, or want of Satisfaction concerning the King's Proceedings, or to avoid Trouble, or some other Cause, had not complied, and taken out their Protections, these the King by his especial Favour (as he says in the Writ) admitted to enter into Recognizance, to pay the Fines or Composition set upon them, by one Knight, and the Sheriff of the County, his Commissioners, and so their Estates and Goods were free from seizure.

Others there were that invented and spread News amongst the People, by which Discord might happen between the King and his Prelates, Earls, Barons, and other Great Men, to the Disturbance of the Peace, and Subversion of the Kingdom, who also publish Admonitions, and Excommunications against the King's Officers for seizing and taking the Lands and Goods of those as refused to pay Taxes, and such as had Complied and Received the King's Protection. The Writs or Commissions themselves Translated from the French [1] Record, with the Proceedings thereupon, do here follow.

[1] Append.
n. 22.

The Writs or
Commissions
for taking
Recogniz-
ances of
the Clergy.

Edward by the Grace of God, &c. To Monsieur Adam de Wells, and the Sheriff of Lincoln, Greeting: Whereas of late we have conceived Displeasure and Indignation against some Clerks of holy Church, not without their desert, who being within our Realm, and under our Protection, wholly refused to give an Aid for the Defence of the whole Realm, and the English Church; We knowing they are not sufficiently mindful, or knowing of the Perils which may happen to the whole Realm and Church of England through their default, willing to do them special favour at this time, tho they deserve it not, have assigned you both, or one of you, (if both cannot meet together) to receive in our Name Recognizances of Prelates and others of holy Church, whatever they be, in the County aforesaid, according to their Estates, who will have our Protection, in the Form that is sent, and enjoined you by us; and to certify our Chancellor of the Names of those that have made such Recognizances, and to certify also the Treasurer and Barons of the Exchequer of such Recognizances having been received; so as nevertheless the Recognizances be made between this and Easter next, and not after. And hereby we Command you to do the things aforesaid,

said, according to the Form here-under directed. In Witness whereof we have caused to be made these our Letters Patents to be in force for the time aforesaid. Given at Clarendon the first day of March, in the 25th of our Reign.

The Second Writ or Commission.

A Edward, &c. To Monsieur Adam de Wells, and the Sheriff of Lincoln, Greeting; We perceiving that Inventers of News, by which Discord may arise between us and our Prelates, our Earls, or Barons, and our other Great Men, tending to the Disturbance of our Peace and Subversion of the Kingdom, making themselves ready with mortal Enmity, and force of Arms to assault the Realm, not willing to let such Malice pass without Restraint, We assign you to enquire and search by all ways you can, for Malefactors, and Disturbers of our Peace, and Dispersers of News, or such as do or would hinder the execution of our Commands, or give or publish Sentence of Excommunication, privately or openly against our Ministers, and Subjects, or Adherents, for Executing our Commands for the Profit of our Realm, or against Persons of holy Church, that have put themselves under our Protection for to save themselves, and their Churches; and we hereby Command you, That you take and imprison such, of what Estate or Condition soever they be, that you find guilty of any of these things, until you receive other Commands from us: And We Will, That if both cannot intend this Business, then one of you that shall be nearest the places, where any of these things may happen, may Execute the Matters aforesaid.

The second
Writ or War-
rant for the
apprehension
of Inventors,
or Dispersers
of News.

And Publish-
ers of Excom-
munication
against the
King's Mini-
sters and Sub-
jects.

And 'tis to be remembred, that the Knights and Sheriffs under written, are assigned in the same Form above written, in the Counties under-written; That is to say,

Commission-
ers assigned
for the Exe-
cution of the
Writs or
Warrants in
all Counties.

D Aleyn Plokenet, and the Sheriff of Somerset, and Dorset, in those Counties.

Bueges de Knowill, and the Sheriff of Stafford, and Shropshire, in those Counties.

John Tregon, and the Sheriff of Hereford, in that County.

Thomas de Berkeley, and the Sheriff of Gloucester, and Worcester-shire, in those Counties.

E John de Segrave, and the Sheriff of Warwick, and Leicestershires, in the same Counties.

Robert Fitz-Payn, and the Sheriff of Wiltshire, in that County.

Ralph Pipard, and the Sheriff of Bedford and Bucks, in those Counties.

John Lovel, and the Sheriff of Oxford and Berks, in those Counties.

F Thomas de Furnival, and the Sheriff of Derbyshire, in that County.

John le Bretun, and the Sheriff of Middlesex, in that County.

Robert de Tateshale, and the Sheriff of Norfolk, and Suffolk, in those Counties.

John Engayn, and the Sheriff of Northampton, and Rutland, in those Counties.

Henry

Henry Tregoz, and the Sheriff of Surrey, and Suffex, in those Counties.

Robert Fitz Roger, and the Sheriff of Essex, and Hertford, in those Counties.

Reynald de Argentem, and the Sheriff of Cambridge, and Huntington, in those Counties.

William de Leyburne, and the Sheriff of Kent, in that County.

Henry Teyr, and the Sheriff of Southampton, in that County.

Gefrey de Camvill, and the Sheriffs of Cornwall, and Devonshire, in those Counties.

John de Lancaster, and the Sheriff of Lancaster, for that County.

Reynold de Grey, in the County of Chester, with the Four Cantreds.

John de Havering, in North-Wales.

William de Brehufe, and Walter de Pederton, in West-Wales.

Instructions, and Proceedings upon the first Writ or Commission.

It is to be Remembred, That the Knights and Sheriffs shall do the things above-written, according to the Articles following.

It is ordained, That the Banerets and Sheriffs, shall take Pledges of the Lay People, such as shall be sufficient to answer the Sums they engage for, and that the Clergy that cannot find Lay Sureties, shall bring to the Sheriff Goods to the value of what they are to pay, to remain with him until they have paid it.

And the Thing demanded or taken in this Form shall be for themselves and their Churches, for the common Profit of the Realm, and for to have their Protections; That is to say, of every Prelate, or Parson of a Church, or Clerk Beneficed, the double of the last Aid paid to the King, for that the Business and Necessity is now much greater then at that time.

And the Banerets and Sheriffs shall cause to be Enrolled the Sums Recognised, and every Man's Name, with the Names of the Pledges or Sureties, and send the Roll to the Exchequer that the Money may be Levied.

And the Banerets and Sheriffs shall give to every Clerk that shall have entred into Recognisance as aforesaid, a Certificate under their Seals to the Chancellor, to obtain the King's Protection; Then follows a Commission to the Coroners in every County to Swear the Commissioners.

The King to his Coroners in the County of Surrey, Greeting; We send you Two pair of our Letters Patents, with the Form inclosed in these Presents, to be delivered to Henry Tregoz, and our Sheriff of Surrey and Suffex, commanding you, That you deliver to them the said Letters with the Form, and that you receive an Oath of them, That they shall faithfully do and perform those things for which they were by those Letters assigned by us according to the said Form. The like Letters were directed to the Coroners of the Counties underwritten, &c.

These

Instructions for these Commissioners, and Sheriffs.

A Commission on to the Coroners in every County to Swear them.

These Commissioners and Sheriffs acted according to their Commissions and Instructions, as appears by many of the Original Recognisances, and Certificates, with the Seals annexed to them, yet remaining amongst the Records in the Tower, upon which the Ecclesiasticks and Clergy had Protections granted them, and Writs for the Resitution of their Temporalities, Goods, and Chattels. The Certificates were in divers Forms: For Example,

To the Noble Peer, and our King's Discreet [2] Chancellor, or his Deputy Gilbert de Knovil, Sheriff of Devon, if it pleased him, Health or Greeting, and as much of Reverence and Honour as he could: Know, Sir, That the Abbat of St. Dogmael by his Proctors or Substitutes, Robert de la Pitt, and William de Culecumb, came to me the first day of April, and granted to the King double the Aid he last paid, for the Defence of himself, his Churches, and the Common Profit of the Realm, and to have his Protection, and for this he found a Surety. In Witness whereof, I have sent my Letter Patent and Close.

To Sir John de Langeton, the King's Chancellor, John de Segrave, and the Sheriff of Warwick, and Leicester, Greeting; Know we have Received Master Robert de Craft Parson of Bedeworth, and Eylmerthorp, into the King's Protection. In Witness whereof we have sent this Bill sealed with our Seals.

William de Plympton Parson of West Bedeford, before Sir Aleyn Plokenet, and the Sheriff of Somerset, made a Fine of Eight Shillings, which is the Double of his Tenth according to his Recognisance, for to have the King's Protection, and for the Defence of himself and Churches, and the Common Profit of the Realm. Pleges for the Fine Thomas de Kynhammer, and Adam Vincen, Lay-men. In Witness whereof the said Sir Aleyn hath set his Seal to this Bill.

To the Venerable and Discreet John de Langeton, the King's Chancellor, Adam de Welle, and R. le Vener, Sheriff of Lincoln, deputed to take the Recognisances of the Clergy of that County, Greeting; Know that William de Brumton made Fine with the King to have his Protection and his Lay-tee restored, and this we signifie to you.

To Sir John de Langeton, the King's Chancellor, Henry de Thistelden, Sheriff of Oxford, Greeting; Whereas William, Vicar of the Church of Wyteny, came before me at Oxford, and made Fine xvij s. iiii d. which is the Double of the Tenth of his Vicarage, as he saith. I have given him this Bill or Certificate, sealed with my Seal, to obtain the King's Protection. Given at Oxford the 12th day of March, in the 25th year of the Reign of King Edward.

Where the Fines and Sums are not mentioned in the Certificates, they are noted in an Account of them, at the end of the Bundles of Certificates, in this manner.

G

Henry

They acted according to their Instructions.

[2] Append. n. 22. The Forms of the Certificates of such a Fine to the King to have his Protection.

Henry de Gudeford gives the King to have his Protection x 1.

Philip de Willugby entred into Recognisance to satisfie the King for his Lands and Tenements, and Chattels found upon them, and hath Protection for himself and Tenents.

Hugh Parson of Kingston, before Sir Aleyn Plokenet, and the Sheriff of Somerset, made Fine of viii s. which is the Double, &c. And so the Certificates of very great numbers of others are contained, and to be seen in the Bundles in the Tower.

What was done upon the second Commission appears by the Writs directed to the Sheriffs for Discharging and setting at Liberty such Rectors, Vicars, Priests and Clerks, as had been imprisoned for publishing of the Popes Bull and Sentence of Excommunication, and other Misdemeanors against the King and his Crown.

While the Execution of this first Commission was in Agitation, there was an Assembly of the Clergy to be in Mid-Lent at London, to which Assembly the King directs this Writ.

Edward, [3] by the Grace of God, King of England, &c. To the Honourable Fathers in God the Arch-Bishops, Bishops, and other Prelates, and to all those of the Clergy who at Mid-Lent next coming are to meet at London, Greeting; We forbid you all, and every one of you, upon as much as you can forfeit to us, That you, or none of you, do ordain, or cause to be ordained, or assent to any Ordinance in that Assembly, that may turn to the prejudice or grievance of us, or any of our Ministers, or those that are in our Peace or Allegiance, and in our Protection, or Adherents, or any of them. Given at Sturminster the 21st day of March, in the 25th of our Reign.

And Hugh le Despenser had a Commission of the same Date, to go in his own Person, and take such with him of the Council as he thought fit, to publish this Prohibition at the day of their meeting, Pat. 25. Ed. I. p. 1. M. 9.

The Result of this Synod we have in [4] Matthew of Westminster, who tells us, That the Archbishop, and certain other Bishops, his Suffragans, meeting at St. Paul's, London, on the 26th of March, to consult of the State of the Church; Two Lawyers, and Two Frier Preachers stood up, and in hopes of gaining Royal, and Temporal Favour, argued and endeavoured to prove, that the Clergy in time of War, notwithstanding the Pope's Prohibition, might Lawfully give and pay Taxes to the King. And furthermore, it being forbidden any one, under Pain of Imprisonment, to publish the Sentence of Excommunication against the King himself, or those which lately sought his Protection, they all departed; The Arch-Bishop having first charged their Consciences with this saying, *Salvet suam animam unusquisque*. Let every Man save his Soul.

What

What was done upon the second Commission appears by the Writs directed to the Sheriffs for Discharging and setting at Liberty, upon Security given, such Rectors, Vicars, Priests, and Clerks, as had been imprisoned for publishing of the Popes Bull, and Sentence of Excommunication, and for other Misdemeanors against the King and his Crown.

The King to the Sheriff [5] of Devon, Greeting; We Command thee, That thou settest at Liberty, first taking Security, that they give us Satisfaction when we demand it, those Chapellanes which thou didst lately take and imprison, for publishing a certain Sentence, and other Transgressions against us and our Crown, according to what we more fully enjoined thee by Word of Mouth. Witness the King at Plimpton the 11th day of April, in the 25th of his Reign.

This Writ was followed by another, directed to the Sheriff of Cornwall, to the same purpose, but more particularly for the delivery of such as were named in the Writ.

The King to the Sheriff of Cornwall, Greeting; [6] We Command thee, That if our beloved in Christ William Bodrugan, Archdeacon of Cornwall, will undertake to have before thee Master Clement de Rupe, Master Ralph de Treredeneke, William Vicar of the Church of St. Sevara, (and Thirty three others) which were taken and detained in Prison at Launceston for publishing of a certain Papal Letter, (i. e. the Bull) as 'twas said, so as they may appear before us at our Pleasure to make Satisfaction for their Faults, if they have committed any of this Kind; Then that you cause without delay to be delivered from the Prison aforesaid those Rectors, Vicars, Priests, and Clerks, which upon that occasion, and no other, were detained in the same; Witness the King at Plympton the 17th of April, in the 25th of his Reign.

King Edward's Engagements to the Earl of Flanders, and his other Confederates, required his going over Sea, and about Ten days after, at this place, he directs his Warrants [7] to the Barons and Goodmen of his Ports of Hastings, Faversham, Sandwich, Hethe, Winchelsea, Romenhale, Dover, and Rye, commanding them to have the whole Service of their several Ports that was due to him, ready Armed and Equipped at Winchelsea, on the Morrow of St. John the Baptist next coming, to go whither he should command them. And he Required them further, That besides their Service, they should fit out and arm all other Ships of Forty Tuns Burthen or above, to be ready at the same day and place, to go with their other Ships into his Service; but that he would not this should be made an Example for the future. Witness the King at Plympton the 27th of April, in the 25th of his Reign.

On the same day, and at the same place, he directs his Warrants [8] to the Bayliffs and Good-men of Yarmouth, and to the Mayors and Bayliffs of all Ports in England, the Occasion being Extraordinary, to arm and set out all the Ships of 40 Tuns, and above, of their several Ports, so as they might be at Winchelsey on the Morrow of St. John Baptist, as before.

G 2

What was done upon this second Commission.

[5] Append. n. 24.

[6] Append. n. 25.

[7] Append. n. 26.

The King gives Command to his Fleet to be ready to pass beyond Sea.

All Ships of Forty Tuns Burthen commanded to be ready.

[8] Claus. 25. Ed. I. M. 19. Dwf.

He

[3] Append. n. 23.

The Clergy forbidden to ordain any thing in pre-judice to the King or his Affairs, in their Synod.

[4] Fol. 430. lin. 4 A. D. 1297. The Result of that Synod.

[9] Ibm. M.
19, 20.

He sent also his Warrants and Orders of the same Date [9] to the Warden of the *Cinque-Ports*, and the Sheriffs of all Counties in which there were Sea-Ports, to repair to them, and take care the Ships should be Armed and Equipped, and ready at *Winchelsey* at the time he had Commanded.

[1] Claus. 25.
Ed. I. M. 17.
Cudal.
Summons to
all that had
20 l. per An-
num to go
with the
King.

Soon after [1] the King wrote to all the *Sheriffs of England*, and *Reginald de Grey*, Justiciary of *Chester*, to give notice to all those in their several *Bailiwicks* or *Counties*, that had 20 l. per *Annum* or above, as well within *Liberties*, as without, whether they held of him in *Capite*, or not, to provide themselves with *Horse* and *Arms*, and to be ready to go with his own *Person*, for the *Defence of themselves*, and *whole Kingdom*, whensoever he should send for them. Witness the King at *Plympton* the 5th day of *May*, in the 25th of his Reign.

[2] Append.
n. 27.
Of whomso-
ever they had
to pass with
his Body be-
yond Sea.

On the 15th of *May* for the *Dangers* and *Perils* that might happen to him, and his Kingdom, by the *Treachery* of his *Enemies*, reciting the former *Warrant*, and having appointed the time of his passage beyond Sea, he [2] commanded all the *Sheriffs of England*, and *Reginald de Grey*, to summon all that had 20 l. per *Annum*, of whomsoever they should hold the same, to be with him at *London*, provided with *Horse* and *Arms* as they ought to be, on *Sunday* next after the *Ostaves*, or *Eight days* after *St. John Baptist*, to pass with his Body beyond Sea, to the Honour of *God*, of himself, and their selves, for the safety and common Profit of the Kingdom. Witness the King at *Loders* (in *Dorsetshire*) the 15th of *May*, in the 25th of his Reign.

[3] Ibm.
He summons
his whole Mi-
litary Service
to go with
him.

At the same time he sent his [3] *Warrants* to the same Persons, to summon the *Arch-Bishops*, *Bishops*, *Abbats*, *Priors*, and other *Ecclesiastick* Persons, and also *Widows*, and other *Women*, within their Counties, that held of him in *Capite* by *Military Service*, or *Servanty*, or of *Wards* in his Hand, or *Tuition*, to be at the same time and place with their whole Service of *Horse* and *Arms*, to pass with his Body, &c. Witness as above.

[4] Ibm.
And writes
to all the
Earls, Barons,
and Bishops,
particularly
to be ready.

Then also he wrote [4] to *Edmund Earl of Cornwall*, reciting his first *Writ*, &c. to be ready with *Horse* and *Arms*, at the same time and place, to pass with his Body, &c. Witness as above. In like manner he wrote to *Roger le Bygod Earl of Norfolk*, and *Marshall of England*; To *Humfry Bohun Earl of Hereford* and *Essex*, *Constable of England*; To *William Beauchamp Earl of Warwick*, *Richard Fitz-Alan Earl of Arundel*, *Robert de Ver Earl of Oxford*, *John de Warena Earl of Surrey*, *Gilbert de Hunfranvil Earl of Anegor*, and 122 Barons, and great Men there named; And after the same manner he wrote to all the *Bishops* particularly.

[5] Ibm.
n. 28.
The Sheriffs
to certify all
that had 20 l.
per Annum in
their Coun-
ties.

On the 24th of this month the King wrote [5] again to all the *Sheriffs of England*, and *Reginald de Grey*, Justiciary of *Chester*, to execute his former *Writ* of *Summons*, and to certify under their *Seals* the *Names* of all such as had 20 l. per *Annum* or above, of whomsoever they held it, in their *Bailiwicks* or *Counties*. Witness the

the King at *Portsmouth* the 24th of *May*, in the 25th of his Reign.

While the King was thus preparing for his Voyage, [6] the *Scots* by the instigation of *William Waleys* whom they chose their Leader, in this Month of *May*, (upon the King's Justiciary *William de Ormesby*'s Banishing many of them that refused to do Homage, and Fealty to King *Edward*) armed themselves, and Killed all the *English* they met with, practising strange Cruelties upon them; which he having notice of, laying to Heart the Affliction of his Friends in *Flanders* for want of his Assistance, directed *William Waren* Earl of *Surrey* with the *Militia* beyond *Trent*, to march into *Scotland*, to suppress this Insurrection. The Earl raising an Army in the North Parts, sent his Nephew *Henry de Percy* with it into *Scotland*, who marching toward the *Scots* found the Heads of them, the *Bishop of Glascom*, the *Steward of Scotland*, *Andrew de Mornia*, and *William Walleys*, inclineable to Peace, upon Condition of the Safety of their Lives and Limbs, Lands and Goods, so as all things might be Pardoned to that time. *Henry de Percy* admitted the Peace, upon promise of *Hofstages*, and *Articles* in Writing, if it should please the King, who, made acquainted with the Terms, Consented to it, that his Voyage might not be hindered. When the Earl of *Surrey* went into *Scotland* to see the Performance of these things, the *Scots* shifted from time to time, delaying to deliver *Hofstages*; whereupon the *Bishop of Glascom*, and *William Douglas*, lest they might be thought Traitors, yielded themselves, the *Bishop* was secured in *Roxburgh Castle*, and *Douglas* in *Berwick*.

In order to the King's Voyage into *Flanders*, as hath been noted before, the *Militia* was Summoned to meet at *London* on the *Sunday* after the *Ostaves* of *St. John Baptist*, which are *July* the First. *Mat. Westminster* [7] says, They were summoned to meet on the Morrow of the Translation of *Thomas the Martyr*, (i.e. *Becket*) which is *July* the 8th, and may agree with the Record, (if the First of *July* that year fell on a *Sunday*) when the *Earls of Norfolk* and *Hereford*, the *Marshal* and *Constable*, being Required by the King, Refused to do their Duty, and Request him to appoint some other of his Household to that Service, and retired; and on the 25th of *July* [8] he wrote again to all his *Ports*, to send their Ships to *Winchelsey*, with what speed they could.

The King, no doubt, in hopes of a perfect Reconciliation before he went over Sea, [9] wrote to the *Sheriffs of Kent, Surrey, Middlesex, Suffex*, and *Essex*, upon the earnest Request and Mediation of the Prelates of that Province, and out of Special favour, to Restore to the *Archbishop of Canterbury* all his Lay-Fees, together with his *Oxen*, *Carts*, or *Waggons*, and all other his Goods and Chattels being upon the same, in the state they were then in: Witness the King at *Westminster*, *July* the 11th, in the 25th of his Reign.

And that he might extend his further favour to all the Clergy that had submitted, and were reconciled, he gave a general Pro-tection

[6] Walsingb.
E. 70. N. 10, 20,
30, 40.
The Scots arm
under William
Waleys their
Leader.
Kill the Eng-
lish.The Earl of
Surrey sent to
Supper them
He sent Henry
de Percy.Who accepts
from them
Terms of
Peace.[7] Fol. 430.
N. 20, 30, 40.
A. D. 1297.
The Earls of
Norfolk and
Hereford, Con-
stable and
Marshal, re-
fuse to do
their Duty
and Service.
[8] Claus. 25.
E. I. M. 9. Dorset[9] Append.
N. 16.
The King re-
stores to the
Archbishop of
Canterbury all
his Lands and
Goods.

[1] *Ibm.* N. 30. He grants a General Protection to all the Clergy.

The King of France Remonstrates against the Pope's Bull prohibiting Taxes.

The Clergy of France join with him.

The Pope explains his Bull for the sake of the King, Nobility, &c.

[2] *Knighton*, Col. 249. N. 60. The King forced upon Unwarrantable court-fees to raise Money.

tection to them, that had not received it before, and [1] wrote to the *Sheriffs of London and others*, at the Request and Prayer of the *Archbishop of Canterbury*, and other *Bishops and Prelates* of his Kingdom, *Supplicating* him in behalf of the Clergy, That they should *Maintain, Protect, and Defend* all the Clergy in their *Baylivies*, their *Tenements, Lands, Goods, Rents*, and all their *Possessions*; not permitting them to receive any *Injury or Molestation* in their *Persons or otherwise*, though they had not his *Protection*. Witness the King at *St. Pauls, London*, 31st of July, in the 25th of his Reign.

It ought not to be omitted here, That notwithstanding the *Mortal Enmity and War* between the two *Kings of England and France*, yet King *Philip* the 4th Published a *sharp Remonstrance* against the *Pope's Bull*, which caused this *Trouble and Contention* between the *King and Clergy* in this Nation, in which he strenuously asserted the *Rights of his Crown*, and the *Liberties of the Gallican Church*, which were the very same with those of *England*. The *Archbishop of Rhemes* with the *Suffragans and Abbots* of his *Province*, seconded their King's *Remonstrance* with a *Supplication* to the *Pope*, to recal his *Bull*, lest it might break the *Peace and Unity* of the *Gallican Church and Kingdom*, as being very *Injurious and Grievous* to the *King, and Temporal Nobility*, and as bringing *Scandals*, nay perhaps *Ruine and Destruction* to the *Nation*; whereupon *Pope Boniface* the 8th, sent an *Explanatory Bull* to King *Philip*, by which he *Declared*, That his former *Bull* extended not to *voluntary Grants and Aids* made by the *Clergy*, nor to *Cases of Necessity*, when *Taxes and Contributions* were necessary for the *Defence of the Kingdom*, then they might be *Raised* without consulting the *Pope*. That the *King and his Successors* (provided they were *Twenty years of Age*) might be *Judges of the Necessity*, if not of that *Age*, then their *Council*; and Lastly, He *Declared*, that by this *Bull, or Constitution*, it was not intended to take away or diminish any *Rights, Liberties, Franchises, or Customs* of the *King, Kingdom, Dukes, Earls, Barons, or Temporal Nobility*, whereof they were in *Possession* before he *Emitted that Bull*. The *Remonstrance, Supplication, and last Bull*, Dated at *Orcieto or the Old City* July 22. in the *Third year of his Pontificate*, A. D. 1297. are to be found in *Peter Pitheous Proofs of the Liberties of the Gallican Church*. Printed 1639. Chap. Sect. or Numb. 8, 9, 10. Fol. 1025. 1028, 1029.

By reason of the *Clergies Denial to Grant* the King a *Seasonable and Timely Aid* to carry on his Wars, he was forced upon *Unwarrantable Courtes* against the *Laws of the Realm*, [2] by *Raising the Custom upon Wool* from a *Noble, to Forty Shillings* the Sack, and ordering the *Owners* should sell their *Wool* within a *Month*, at certain *Places assigned*, or they should be *forfeited*. For the *Victualling* his *Army and Ships*, he took *Wheat, Oates, Malt, Salt-Fish, and Fleish*, as *Pork, Beef, Mutton*, without paying for them, as well from *Lay-men, as the Clergy*; by which *Oppressions* the *People* were very much *Grieved and Disturbed*, being hereby *prepared to follow the Dictates of any Projectors* against the *King*.

It

It cannot be thought, but by this time the *Archbishop* and his *Friends, the Constable and Marshal* and their *Friends* understood one another, and carried on a *joint Design*. The *Causes of the Controversie* (but just now only mentioned) between the *King, Constable, and Marshal*, and the *Reasons of their Refusing* to do their *Duty*, their *withdrawing from his Presence*, and from *Court*, with their *Denial to return* when sent to, will best appear from the *King's Declaration upon Record, sent to all the Sheriffs in England*.

Whereas the King [3] always desiring the *Peace, Quiet, and good Estate of his People and Kingdom*, after his *Voyage* which he is now making, &c. All occasions by which the said *Peace and Quiet* may be *Disturbed* shall be wholly taken away. But because at this time there may be such *Reports raised amongst the People*, that may cause them to behave themselves otherwise toward their *Sovereign Lord*, then they ought especially since the *Earl of Hereford, and Earl Marshal* have lately withdrawn themselves from him, or for other *Matters*; hereupon, for that he would have the *Affairs of his Realm Uniform and Quiet*, he makes known, and would that all should know the *Truth of what follows*. Lately, when a great Part of the *Men of Arms of England*, some upon *Request*, others by *Summons of the King* came to *London*, the *King* willing to provide for their *Discharge, the settling of their Expenses*, and that they might know what they were to do, sent to the said *Earls as Constable and Marshal of England*, to come to him for that purpose. The *Earl of Hereford came*, and *Monfieur John Segrave* to Excuse the *Earl Marshal*, that by reason of *Sickness* he could not come, and therefore had sent him in his stead. Presently by their assent they were ordered to make *Proclamation in the City of London*, That all those that were come thither, either by *Summons or Request*, should on the *Morrow* appear before the *Constable and Marshal*, to know and be *Enrolled*, in what manner, and how many of them would serve the *King in that Voyage beyond Sea*. They told the *King* they would perform the *Order as they had received it in Writing*. But the same day toward *Night* the *Earls* sent the *King a Message in Writing* by *Sir John Esturnis Knight*, in this Form. For that, Dear Sir, You commanded the *Marshal* by the *Constable*, and by order in *Writing*, that he should cause it to be published in the *City*, That all such as were come by your *Summons or Request*, should be on the *Morrow* by One of the *Clock* before the *Constable and Marshal* at *St. Pauls*, and that they should *Enroll* so many *Horse of one, and the other*, and then to inform you of it. Your *Constable and Marshal* do pray you to *Command some other of your Household* to do it. And for that Sir, you know well, that tho' some are come upon *Request*, and not *Summons*, yet if they do this, they should enter upon their *Office*, and do *Service*: Wherefore they pray you to *Command others*. Upon receipt of this *Message, and Counsel taken thereupon*, the *King* thinking they might have done it *unadvisedly*, sent *Monfieur Geoffrey de Genevill*, *Monfieur Thomas de Berkeley*, *Monfieur John Tregoz* *Constable of the Tower, and Guardian of London*, *Roger Brabazon*, and *Monfieur William de Beresford*, to advise them *Better*, and that they might so order things, as they might not turn to the *Prejudice of the King*, nor their own *Estate*; and if they would not be otherwise advised,

[3] *Append. N. 31.* The King's Declaration of the Causes of the Constable and Marshal's refusing to do their Duty, and retiring from Court.

*This was the proper Business of these two great Officers, and without this Ordering and Enrolment, the Men at Arms were not assigned the Quantity of their Service.

sed, then they should ask them if they would avow the Letter sent, and the Words contained in it, which they did; and the King being acquainted with it, advising with his Council, put in the Place of the Earl of Hereford, Constable, Monsieur Thomas de Berkeley, and in the Place of the Earl-Marshall, Monsieur Geoffrey de Geneville, as they desired; whereupon they withdrew themselves from the King and Court; and soon after the Archbishop of Canterbury, and many other Bishops, came to the King, beseeching him they might speak with the Earls, which the King Granted; they sent to them to know where they might come to speak with them, they let them know by Letters they should be at Waltham the Friday on the Morrow of St. James. They went thither, the Earls came not, but sent Monsieur Robert Fitz-Roger, and Monsieur John de Segrave, Knights, who said the Earls could not then come for some Reasons. On Sunday following the Bishops and two Knights came to the King at St. Albans, and at their Requests, the Knights had Letters of safe Conduct given them for the Earls to come to, stay with, and return from the King, yet they never came; and now 'tis given out the Earls offered to the King certain Articles for the common Profit of the People, and that he utterly refused them, of which the King knows nothing, for they never propounded, or caused to be propounded any thing to him, nor doth he know, why they are retired; amongst which Articles 'tis reported, there were certain Grievances, which the King understands well, as the Aids which he often demanded of the People, by reason of his Wars in Gascony, Wales, Scotland, and other where, which could not be Maintained, or his Kingdom Defended, without the Assistance of his People, of which he thinks often, that he should so much grieve, and burthen them, and prays they would have him Excused; and if it please GOD he returns from this Voyage, he would have all Men know, That according to his great Desire, according to the Will of GOD, and to the Satisfaction of his People, he will amend all things whatever, where he ought: And if he doth not return, he will order his Heir to do it as well as if he had Returned; for he knows well, that no Man is so much bound to the Kingdom, or to love the People, as he himself. On the other side, there is great necessity of his going to assist his Ally the Earl of Flanders, and his Passage is so hasty for the Peril his Friends beyond Sea are in, which if he should lose, the Kingdom might be in great Danger; And therefore they should have the Confirmation of the great Charter of the Liberties of England, and of the Charter of the Forest, if they would Grant him an Aid or Gift, such as was Necessary for him at this time; and the rather for that upon his going over, a lasting Peace might ensue; and if he had Refused Articles, or any thing else in Hatred, and Destruction of his People, contrary to the Common Profit of the Realm, or that he hath done otherwise against the Earls then is here said, he desires no Man to believe him; for these are the true Proceedings, and the very Truth of things to this time. Afterwards he put them in mind what Dangers and Wars may arise from Rumours, Stories, and Reports, raised between the King and his People, &c. concluding his Declaration, That all his good People would pray, That his Voyage might have a good End, to the Honour of GOD, of himself, of them, and his Kingdom, and that a Durable Peace might follow. Given at Odymer (near Winchelsey) the 12th day of August, in the 25th of his Reign.

The

The King being informed there were Excommunications ready to be Pronounced and Published against his Officers, &c. sent a Prohibition [4] to the Archbishop and all other Bishops to forbear it. The King to the Venerable Father in Christ, Robert, &c. Whereas we have been forced by inevitable Necessity for the Defence of our Kingdom and Hereditary Right invaded by the King of France, and other Enemies, and for the Preservation and Safety of the English Church, and of the Persons of Ecclesiastics, and others, we have taken from them Grain, and other Goods, and the same necessity yet compels us to do the like, for which Corn and Goods we are resolved to make full Satisfaction; and now we understand that you intend to promulge, and cause to be published, Sentence of Excommunication against our Officers that took them by our Command, which if you should do, it would manifestly redound to the great and immeasurable Mischief of our Crown and Dignity, the Scandal of the People, and as it may happen, the Consequence of it may prove the Destruction of the Church, and Subversion of the whole Kingdom. We forbid you, upon Observation of the Oath of Fidelity by which you are bound to us, and upon forfeiture of all you hold of us, to publish any such Sentence against our Officers, Clerics, or Laics, or to do any Injury to them, especially when we are ready to make Satisfaction. Witness the King at Winchelsey the 19th Day of August, in the 25th of his Reign.

King Edward being so far engaged to assist the Earl of Flanders in Person, as he could not recede from his Promise, and resolved beyond persuasion to do it with what speed he could, the Earl now much pressed by the King of France, having lost some Towns, and being in fear of the Revolt of his People; [5] while he was thus at Winchelsey, or Odymer, with all possible Expedition providing for his Passage, the Earls sent him the following Petitions of his Kingdom in Writing, and with this Title.

These are the Injuries and Grievances, which the Archbishops, Bishops, Abbots, Priors, Earls, and Barons, and the whole Community of the Land, do shew unto our Lord the King, Humbly beseeching him, That for his own Honour, and the Safety of his People he would correct and amend them.

First, It seemeth to the Community of the Land, That the Summons sent them by the King's Writ, was not sufficient, because the Place whither they were to go was not named; for according to that, they were to prepare themselves, and make Provision of Money.

Secondly, Whether they ought to perform Service or not, because 'tis said in general words, the King would pass over into Flanders: It seems to the Community, that there they ought to do no Service, because neither they, nor their Predecessors, or Progenitors, ever performed their Service in that Land. And tho' it was so that they ought to do it, yet they were not able, being so oppressed with Tallages, Aids, and Takings, or Prizes, as of Wheat, Oats, Malt; Wool, Leather, Oxen, Cowes, Powdered Meat, without paying for them, by which they were supported.

H

Thirdly,

[4] Append. N. 32.

The K. forbids the Bishops to publish Sentence of Excommunication against his Officers, &c.

[5] Walsley. Hist. Angl. l. 71. N. 30. 40. 50. f. 72. N. 10, 20.

The Grievances of the whole Kingdom presented to the King.

Thirdly, They say they cannot pay Taxes, by reason of their Poverty proceeding from the Tallages and Takings aforesaid, because they had scarce wherewithal to support themselves, and many were in such Condition, as they had not wherewith to Till their Lands.

Fourthly, The whole Community of the Land thinks it self very much grieved, That they are not used according to the Laws and Customs of the Land, as their Predecessors have been.

Fifthly, They were Grieved and Oppressed, that Magna Charta, or the Great Charter was not observed, and that the Charter and Affize of Forests was not observed according to Custom.

Sixthly, The whole Community thought it self grieved, by the Imposition upon Wool, which was too Burthen some at 40s. per Sack, and of Wool for common Use seven Marks for the same Quantity, [6] for that the Wool of England, amounted to almost half the value of the whole Land, and this Imposition amounted to the Fifth part of the value of it. Then they conclude, That because the Community wished the King Honour and Safety, as they were bound to do, it seemed to them it was not good for him to pass into Flanders, unless he were assured That People were true to him and his People; and also in regard of Scotland, which now began to Rebel, and would do so much more when they knew he was beyond Sea.

When the King received these Petitions he [7] told the Messengers, he could not Answer them without his Council, some part whereof was gone into Flanders, and some part left at London; and sent to intreat the Earls by the Messengers, That if they would not go over Sea with him, They would at least do no Mischief to the Kingdom in his absence, for that he thought by the Favour of God to return, and have it in due Order.

It is Recorded in the Close Roll of this Year, that the King passed into Flanders on the 22d of August, [8] Memorandum quod Die Jovis vicesimo secundo Die Augusti Transfretavit Rex in Flandriam. Mat. Westminster [9] says it was the Day following, on the Vigil or Eve of St. Bartholomew, and that the same Day the Earls and Barons came to the Exchequer, and forbade the Barons thereof, to cause the Sheriffs to Levy the Eighth Penny of the Laity, telling them, They knew nothing of it, and that Taxes could neither be Imposed or Exacted without their Assent. Walsingham [1] says, That the Earl of Hereford, and Earl-Marshal, with their Confederates or Complices, prohibited the Treasurer and Barons of the Exchequer to cause to be Levied the Eighth Penny of the Laity, that was granted to the King at Bury-St-Edmunds, and that they prevailed with the Citizens of London to stand with them for the Recovery of their Liberties.

The Scots taking the Opportunity of these Commotions in England, still delayed to give Hostages and Pledges for the Peace made with Henry de Percy, tho' demanded by Earl Warren; and toward the End of [2] August took Arms again under the Leading

[6] Ibm. f. 72. lin. 5.

[7] Ibm.

The K. could not answer the Petitions of the Community without Advice of his Council

[8] Class. 25 Ed. 1. M. 7. Dof.

[9] Fol. 430. N. 50.

The Earls and Barons prohibit the Levying of Taxes granted to the King. [1] Ut Supra. F. 72. N. 40.

They prevail with the Citizens of London to stand with them for their Liberties.

[2] Ibm. F. 72. N. 10.

of Wales, and in a short time drove almost all the English out of Scotland: William de Warren aforesaid, the Guardian of Scotland, fled from Berwick into England, and the English that were there after him, and quitted the Town, yet the Castle was kept, and well Defended by those that were in it.

Upon this News from Scotland, the [3] Council that the King left with the Prince whom he had constituted Guardian of England in his absence, to assist and advise him, persuaded him to send for the two Great Earls, and if by any ways he could reconcile them to his Father. On the 9th of September [4] he wrote to the Archbishop of Canterbury, Six other Bishops, Twenty three Abbots and Priors, these Two, and Eight others, to meet on the morrow after St. Michael at London, to confer with him, and those of his Council there present, about urgent and difficult Affairs. When they came together, [5] they would not consent to any other Form of Peace than that which is now called the Statute de Tallagio non Concedendo, or of not Granting Tallage; which is the same in [6] Walsingham, with that of Sir Ed. Coke's Second Institutes, Fol. 532. taken out of the Old Statutes, Printed by Rich. Total, 1556. Part 2. p. 73. a.

Henry de Knighton [7] tells us, They came guarded with 500 Horfe, a great Number of choice Foot, and that they would not enter into the City before they had Liberty to place their own Guards in every Gate; and then says, That by the Mediation of the Venerable Father Robert Archbishop of Canterbury, (Cujus memoria in Benedictione sit) whose Name be blessed, as the Historian, there was no Agreement to be made, unless the King would confirm the Charter of the Forest, and the Great Charter with some Articles added to it, which were the Statute before-mentioned, then put in Writing by them, and were the Grievances sent to the King at Winchelsey, drawn into the Form of a Charter or Statute. This was done by the King, as * Walsingham says, (Tanquam ab eo, qui in arto positus erat, cedendum Militie temporis censuit,) as by one in streight, thinking it best to give way to the Iniquity of the time: And * for this the Laity gave an Eight Part of their Goods; the Clergy of the Province of Canterbury a Tenth, and the Clergy of the Province of York a Fifth Part.

On the 15th of September before this Meeting or Great Council, the Prince had issued Writs for a Parlement to be holden on the Octaves of St. Michael, or 7th of October, for the Confirmation of the Charters, as his Father had before propounded in his Declaration; and for that Confirmation * the Laity regranted the Eight Part of their Goods they had given before at Bury, and the Clergy gave a Tenth; and the whole Business was dispatched in three Days; for this Statute or Charter, which in Coke's Second Institutes, and our Statute-Books goes by the Title of Confirmatione Chartarum, was Sealed and Dated the 10th of October; and is to be found upon the Statute Roll 25 Ed. 1. M. 38. with this Memorandum at the End of it, that this very Charter or Confirmation, word for word, was Sealed in Flanders with the King's Great Seal at Gaint, the 5th Day of November in the 25th year of his

H 2

Reign,

The Scots again take Arms, and drive the English out of Scotland.

[3] Ibm. N. 30. The Prince, Guardian of England.

[4] Append. N. 33. He Writes to the Constable and Marshal to meet him at London.

[5] Walsing. Ut Supra. f. 73. N. 40. 50.

[6] Ibm.

[7] Col. 1553: N. 10, 20, &c. They come Armed and take Possession of the City Gates.

* F. 74. N. 10.

* Ibm.

to Class. 25 Ed. 1. M. 7. Dof. A Parlement called.

* Ibm.

The Chartres confirm'd.

The Confirmation of them Sealed in Flanders.

Reign, and sent into *England*; a sure Sign Sir Edward Coke never saw the Original of this, nor of the *Statute de Tallagio non Concedendo*, who placeth them in the 34th of this King.

[8] Append. N. 34.

The Earl, Marshal, the Constable, and Lord Ferrers Pardoned, and by what Mediation.

[9] Register Winchester in Dutton-Comyn, fol. 127. a. b. and 228. a. b.

A Truce between the two Kings and their Allies for a short time.

[1] See Bundle of Writs of Privy-Seal in the Tower. And Prym Hist. Ed. 1. f. 757.

The King of England's Allies or Confederates.

[2] Ibid. and Prym Hist. f. 758.

The Truce sent into England.

[3] Claus. 25 Ed. 1. M. 26. Duf. in cedula.

The Scots despite their Oaths of Homage and Fealty.

On the [8] Statute-Roll there is a *Definial Pardon* for the two *Earls*, the *Lord Ferrers, &c.* somewhat differing from that in the Printed Statutes. Dated at *Gaunt* on the same Day, procured at the *special Prayer and Request* of his Son *Prince Edward* his *Lieutenant* in *England*, *William Bishop of Ely*, *William Bishop of Bath and Wells*, *Richard Bishop of London*, *Walter Bishop of Litchfield and Coventry*, *Henry Elest of York*, *Edmund Earl of Cornwall*, *John Warren Earl of Surrey and Suffex*, *William Beauchamp Earl of Warwick*, and the others of his Council, with his Son in *England*. [9] This Pardon had been doubly granted before by the Prince, and by his Council, in two Instruments, or as they are called, *Letters-Patents*; one of the Prince, the other of his Council, Dated *October 10.* and Sealed with their own Seals, because the *Great Seal* of *England* was with the King: At the same time also they Undertook, and Bound themselves, to secure them from any Damage which might happen to them, from the King, and procure them this very Pardon.

Things thus compos'd in *England*, there was a Truce, or as 'tis called in the Instrument it self, A [1] *Sufferance or Forbearing* all *Aids of Hostility* by Sea and Land, between the King of *England*, and his Allies, on the one Part, and the King of *France* and his Allies on the other, until the *Fest of Epiphany*, for the *Duchy of Aquitain*, and for the *Earldom of Flanders*, and all other Parts, until the *Octaves of St. Andrew* (or the 7th of December.) Dated on the *Fest of St. Denis*, (that is *October 9th.*) in the Year of Grace, 1297. in which there are the Names of the *English Confederates*; That is to say, the King of *Almaign* or *Emperor*; the Earl of *Flanders*, the Earl of *Savoy*, the Earl of *Bar*, the Duke of *Brabant*, the Earl of *Holland*, the Earl of *Montbeliard*, *John de Cholon*, *Seigneur Darly*, *John de Burgomig*, *John Lord of Moantfancan*, *Walter his Brother*, the Lord of *Newcastle*, the Lord *Dossellier*, the Lord of *Fancanby*, the Lord of *Jour*, the Lord of *Conkendary*, *Simon de Montbeliard*, Lord of *Montron*, *Stephen Doistler Lord of New-Town*, (*de Ville Neuve*) and many others, of *Burgoinge*, *Almaigne*, *Brabant*, *Holland*, *Gascoinge*, and *Arragon*, and others, of which the Names were not known: And by this *Sufferance* all *Trade* or *Commerce* was to be Exercised as at other times.

This was inclosed in Letters [2] under *Privy-Seal*, dated at *Gaunt* the 15th of *October*, in the 25th of his Reign, and sent to his Son, enjoyning him to see it kept in all points, through the Realm; and [3] to that purpose, on the 20th of *October* he sent it to all *Ports* in *England*, to be Proclaimed, and strictly Observed in all its Articles.

On the next Day, setting forth that the Scots despising their Oaths of Homage and Fealty, and not content to have Broken the Peace before, to have Killed his Subjects, and done many other great

great Mischiefs, [4] had then Entered *England*, Burning and Wasting the Country, slaying his People, and destroying all before them, sent his Summons to 200 *Earls*, *Barons*, *Knights*, *Abbats*, and others, to be ready at *Newcastle upon Tyne*, on *St. Nicholas-Day*, or 6th of *December*, with their Service of Horse and Arms, to go with his Son against the Scots, to suppress their Rebellion, and defend his own Kingdom.

By Commissioners on both sides the Sufferance or forbearance of Hostility was prolonged and continued until Lent then next coming, the [5] Instrument whereof was sealed with their Seals, and dated at *Grolingues Abby* near *Courtray* in *Flanders*, Nov. 23. 1297. In this Instrument also are contained the Names of King Edward's Confederates, as before.

In the 24th of this [6] King, in the year 1296, the Cardinals of *Albanum* and *Præneste*, had been sent by the Pope, first into *France*, then into *England*, (whether they came about *Whitsuntide*) to make Peace between the Two Kings, and expected the King's coming out of *Wales* until the first of *August*, when they delivered their Message, and persuaded to Peace, or a Truce for Two years; The King answered he could agree to neither, without the Consent of the King of the Romans, by reason of the League between them confirmed by Oath; They Request the King to obtain his Consent, which in Reverence to the Court of Rome he granted, and they returned into *France*.

The King, as they desired, [7] wrote to the King of *Almaign* or *Romans*, to send his Commissioners to *Cambray* to the Cardinals, with Power before them to Treat of and Conclude a Truce Honourable and Beneficial for them both. Many Commissions were granted, and Commissioners [8] appointed on both sides at several times, and References made to the Pope. But when all these Ways proved ineffectual, the Pope by his own Authority took upon him to denounce and declare a Truce for Two years under pain of Excommunication, to such as should not submit to it; [9] This the Cardinals published without success; as appears by their Letter or Manifesto published for the knowledge of all People, in which are contained the Minutes or Heads of this Truce, and the King of France his Protestation against it, and the Pope's pretended Power to make it.

Universis [1] presentes literas inspecturis miseratione divina, B. Albanensis, & S. Penestrinensis Episcopi salutem in Domino, Notum facimus, &c. To all that shall see these present Letters, B. by Divine Mercy Bishop of *Albano*, and S. Bishop of do make it known, &c. Then giving a short Account of the Truce, and that it was to have continued for Two years from the Feast of St. John Baptist last past. They say, That when they presented to the King of France the Pope's Letters Patents, containing the Truce, to be read, cumque dictas literas presentaremus dicto Regi Francie legendas, &c. He forthwith before they were read, caused in his own and their presence these Protestations to be made, That the Temporal Government of his Realm belonged to himself alone,

[4] Ibid. They enter England, burn, and waste all before them. The King summons the Service of Earls, Barons, &c. to suppress them.

[5] Bundle of Writs, & Prym ut supra, f. 756, 757. The Truce between the Two Kings prolonged. [6] Walsingham Hist. f. 64. l. 5, &c. n. 10. Two Cardinals sent to persuade Peace, or make a Truce for two years.

[7] Bundle of Letters and Writs in *Jurie London*, 24 & 25 Ed. 1. and Prym Hist. Ed. 1. from fol. 748, to fol. 764. [8] Ibid. A ways provided for a Peace or Truce prove ineffectual. [9] Walsingham ut supra, f. 69. n. 50. The Pope by his own Authority declares a Truce for two years.

[1] Protes des libertes de l'Eglise Gallicane, Printed 1651, chap. 7. n. 12. f. 96.

The King of France protests against the Pope's Power to make a Truce.

And denies his superiority in Temporal.

alone, and no other; That he would acknowledge no Superior in it, nor subject himself any way, to any Person living, in things of his Temporal Government, but would maintain his Fees, (Sed se intendere feoda sua iusticiare) and Defend his Kingdom, and the Rights of it in all things, as God should enable him, by the help of his Subjects, Friends, and Assistants; Nor, that he took himself or Kingdom to be affected by the Popes Declaration of the Truce in his Letters Patents directed to him, nor the Sentence of Excommunication therein contained; And further added, That he would not recede in Word or Deed from these Protestations; yet as to what concerned his Soul, and Spiritual Government, as his Predecessors had done before, he was ready to obey the Precepts of the Holy See, as much as he was bound and ought to do, as a Devout Son of Holy Mother Church. These things premised, the Cardinals proceeded to the publication of the Truce and Sentence, and caused the Pope's Letters to be read before the King. Done at Creil in Beauvaisis on the 19th of April, 1297. Datum Credulii Bellovacensis Diocesis, &c.

25th of Ed. I.

* Walpurg. Hist. Angl. f. 74. n. 30.

The Pope as a Mediator, not as a Judge offers to make Peace.

And published to that purpose a Two years Truce.

* Ib. n. 40. Both Kings submit all Differences to the Pope as a Private Person only.

[2] Fol. 431. n. 10, 20. Both Kings accept and agree to a Truce for two years.

[3] Append. n. 35. The King to make good his Promise, sends out Commissioners of Inquiry, what Goods had been taken from his Subjects.

The King of England * considering it was dangerous staying in Flanders, and that he had been imprudently brought thither by the Contrivance of the Earl, that his own Kingdom was unsettled by Intestine Sedition, and that he could have no Confidence in the King of the Romans, the Pope not being his Friend, consented to the Truce. And both Kings sent their Commissioners to Rome, and Compromitted and Referred all Differences whatever between them to Boniface VIII. as *Benet Cajetan*, or a Private Person, but not as Pope, as will appear by his own Instrument of the Terms of Peace hereafter mentioned.

Mat. [2] Westminster says, both Kings accepted and agreed to a Truce for Two years, to begin at the Feast of Epiphany or beginning of Lent, when the above-mentioned short Truce ended, for themselves, and Confederates, and when King Edward came for England, and landed at Sandwich on the 21st of March.

And within few days after, to make good the Promise he had made not long before his going into Flanders, Instructions and Commissions were sent forth to [3] Two Knights, one sent by the King, and the other taken out of the Country, one Clerk, and one Religious Person to be assigned by the Bishop of the Diocese, to inquire

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quire by the Oaths of Lawful Men of every County, in what manner and how much Wool, Woolfells, Leather, Grain, Beasts, Fleish, Fish, or other Goods, had been wrongfully and illegally taken from the Clergy and Laity, for Victualling and setting forth his Fleet, or for other Matters, since the War between himself, and the King of France. Witnes the King at Westminster the 4th of April, in the 26th of his Reign.

A

After the Notable Protestation of the King of France against the Pope, says Peter [4] Pilbon, desiring to make Peace with the Emperor Elect, and the King of England, compromised that whole Affair in the Person of Pope Boniface as a Private Person, and Benedit^{us} Cajetan by his Family Name, and not as Pope, on purpose, that he might not usurp upon the Authority of the Kings.

B

In this year, and about this time, Adolph the Emperor (or as the old Historians call him, King of Almain, or of the Romans) was deposed by the Electors and German Princes, and as [5] Mezeray Stories, was first detained in Germany by private Diffentions raised by the French, and the Sums of Money King Philip gave him underhand, so as he did not afford the Earl of Flanders that Relief he expected; and at the same time debauched Albert Duke of Austria, by the all powerful Influence of Money from the Party, who brought over with him the Duke of Brabant, the Earls of Luxemburg, Guelders, and Beaumont.

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The same Historian also gives this Account of his Deposition, [6] the Money that Adolph had received on both hands was the cause of his Ruin, and on the contrary what Albertus had received for the same end served to raise his Fortune; for this last having made use of some of it to corrupt the Princes of Germany, who were displeased for that Adolphus had given him no share of his, it happened, that in an Assembly they had at Prague for the Coronation of King Winchelsea, they easily suffered themselves to be persuaded, the Pope was consenting to the Deposition of Adolphus, as being useless to the Empire; and in effect, the Cabal was so strong, that they Deposed him, and Elected Albert Duke of Austria. The Two Competitors came to Blows about it near Spire the 2d of July, Adolph fighting valiantly, but betrayed, or at least forsaken by his Men, there lost his Life.

The Abbat of Ursperg, an old German Writer of this time, says thus, [7] Whereas there was great confusion in the Empire, and there was necessity to have a more powerful Emperor, the Electors met at Mentz, and Deposed him, for when Adolph had received 75000 Marks to assist the King of England against the King of France, he kept it all to himself, and divided none amongst the German Princes, he could neither raise Soldiers, nor help the English. This Charge in the Empire, and the Embroilment of his Affairs at home, caused King Edward to accept the Popes Mediation, as above.

The King before this time had summoned the [8] Militia of the Nation to meet him at Carlisle on Whitsun-Eve, with their Horse

A. D. 1298.

[4] *Provis des Libertez*, at *supra*, f. 97. The Compromise made to Benet Cajetan, not Pope Boniface, &c.

[5] Hist. of France, f. 327. A. D. 1297. Adolph the Emperor deposed.

The King of France his Money prevails with the German Princes.

[6] *Ibm.* A. D. 1298. Adolph the Emperor deposed. And how.

[7] *Paralip.* fol. 341. Printed at Basel, 1559. The occasion of his being Deposed.

[8] Cl. 26 Ed. I. M. 5. Doif.

The King summons the Militia of the Nation against the Scots.

[9] Ibid.

M. 12. C. 12. D. 1.

A Parlement or great Council summoned.

[1] *Walsingham*.

f. 75 n. 20.

The Charters

Reconfirmed.

[2] Ibid. n. 30, 40, 50, and f. 76 n. 10.

The Scots beaten at Falkirk.

The King returns into England.

[3] *CL* 27.

Ed. I. M. 18.

Dor.

Summons a Parlement.

[4] *Walsingham*.

f. 76 n. 20.

The Pope's Award read in it.

[5] This Instrument is

intituled,

Promissio

Beneficii, in

Juris London,

25 Ed. I. &

Prima, Ed. I.

f. 758.

The Articles

of his Award,

as *Benedictus*

Caietan, not

as Pope.

Horse and Arms, to go against the Scots, whose Power was now formidable, and their Forces numerous; yet on the 10th of April [9] he summoned the Earls and Barons, Two Knights of every Shire, Two Citizens of every City, and Two Burgesses of every Burgh, to meet and Treat with him, about certain Matters that concerned him, and the whole Kingdom; [1] Here the Constable and Marshall demanded, that because the Charters had been confirmed beyond Sea, for the greater security they might be confirmed again. The Bishop of Durham, the Earls of Surrey, Warwick, and Gloucester, promised the King should do it, upon his Return with Victory. The King then commanded his Army to be ready at Roxburgh upon Tweed on the Feast of St. John Baptist. The King going aside to Visit St. John of Beverley, found his Army at the time and place appointed; [2] Hemarched on into Scotland; The Scots meet him with a mighty Army under the Conduct of Wales; On St. Mary Magdalen's Day, or 22d of July, both Armies drew up in a large Field near Falkirk; upon the Signal given by the King, the English boldly attacked the Scots, their Horse soon gave ground, the English pursuing and killing great numbers, my Author says Sixty thousand. The Scots and the Great Men of Scotland fled into the Woods. After some stay in Scotland, where he used some severity, in his Return at Carlisle, he gave the Constable and Marshall Leave to go home, and stayed himself in the North Parts until after Christmas; when he returned into the South, and in [3] February summoned a Parlement to meet on the first Sunday in Lent, [4] where was Read the Pope's Instrument of Award between the Two Kings, which is long, but the Effect thereof was, [5] That whereas they by their special Messengers and Proctors, had compromised into him as a Private Person and Benedict Caietan, and as an Amicable Composer and Arbitrator of all Wars, Controversies, Differences, and Causes whatever moved between them; He did Award and Pronounce;

1. That there should be a firm and stable Peace between the Two Kings.

2. That the voluntary forbearing of Hostility, and the Truce lately made and confirmed between the Two Kings, &c. should be inviolably observed.

3. That the King of England should Marry Margaret the King of France his Sister, and Endow her with 15000l. Turnois (i.e. 3750l. Sterling) per Annum.

4. That Isabel, the Daughter of the King of France, not then 7 years old, should at convenient time, be Married to Edward the King of England's Son, then 13 years of Age, with the Dower of 18000l. Turnois per Annum.

5. That all Goods on either side, Ships especially, taken before the War, and then not imbeziled or destroyed, should be restored; and if destroyed and not to be found, then either King to make Satisfaction at the Request of each other.

6. That

6. That all the Lands, Vassals, and Goods, which the King of England had in France before the War, which he may have restored to him by virtue of this Compromise, he should have and enjoy under such Conditions and Security as shall be awarded.

7. That all the Lands, Vassals, and Goods, which the King of France was then possessed of, that were the King of England's before the War, and those the King of England was then possessed of, should be put into the Hands and Possession of the Pope, and so to remain until the Kings themselves agreed about them, or he should order what was therein to be done, without prejudice to the Lands, Vassals, and Goods, or the King's, as to the Possession, Detention or Propriety of them. This Pronunciation or Award was Dated at the Pope's Palace in Rome on the 20th of June, 1298. 26th of Edw. I.

To which Award when it was read in Parlement, all the Clergy and Laity gave their Consent, [6] *Cui assensum prebuit Pletis omnis, & Clerus*.

This done the [7] Earls, Barons, and Prelates, demanded the Confirmation of the Charter of Liberties, and of the Forest, with the Deforestation then made; He confirmed the Charters, but refused to confirm the Deforestation, or parting with so much Land out of his Forests as they demanded.

Walsingham [8] Reports, That in this Parlement, the King being desired to confirm the Charters as he had promised in Scotland, after some delay, consented, with a *Salvo jure Corone*, saving the Rights of his Crown, which the Earls hearing returned home; but calling another [9] Parlement to meet 15 days after Easter, he granted what they desired.

The Execution of the Pope's Award was delayed, neither of the Kings being forward to deliver their Possessions, &c. in Gascoign into his Hands; but being resolved to make Peace if he could, [1] he sent the Bishop of Vicenza to the King of France, before whom, and with the Consent of the King of England's Commissioners, it was Agreed, That both the Kings should perform that Article; and King Edward Authorized several Commissioners, to deliver the Possession of his Lands, Vassals, and Goods, into the hands of the Bishop, who was to receive them in the Name of the Pope as a Private Person, and Benedict Gaitan. This Instrument bears Date at Westminster, April 22. 1299, the 27th of Ed. I. In May following Prince Edward [2] made the Earl of Lincoln his Proxy to Contract the Espousals with Isabel, the King of France his Daughter.

While the Bishop of Vicenza was in France, he solicited the Release of John Baliol King of Scots, by the King of France his Mediation to the Pope, to give it in Charge to the Bishop his Legate, who obtained it, [3] and he was delivered to him at Whitland in France, by Robert de Bourghers, Kt. Constable of Dover Castle, the King's Proxy, upon Saturday before St. Mary Magdalen's Day,

I

OR

A. D. 1298.

[6] *Mat. West.*

f. 431. n. 50.

The whole

Parlement

confirm the

Pope's A-

ward.

[7] Ibid.

The Charters

confirmed.

The King re-

fused to con-

firm the Dis-

foresting.

[8] *Fol* 76.

n. 49.

[9] *Clasf.*

27 Ed. I. M.

18. Dor. Writ

dated Apr. 10.

[1] *Ret. Alm.*

27 Ed. I. M.

11. intus.

The King of

England per-

forms the 7th

Article of the

Pope's Award.

[2] Ibid.

Prince Ed-

ward Con-

tracted to

Isabel, the King

of France his

Daughter.

[3] *Append.*

n. 36 and

Prima, Ed. I.

f. 797. A. D.

1299. 27 Ed. I.

King John Baliol delivered to the Pope's Proxy.

or 22d of July, upon Condition, That the Pope might Direct and Order what he pleased, only as to his Person, and the Estate he had in England, as King Edward might have done, if he had been personally with him in England, saving to him and his Heirs, Kings of England, the Kingdom of Scotland, the Men, and Inhabitants, and all the Appurtenances to that Kingdom; It being there Read and Rebeared before his Delivery, and in his own presence, and the presence of the Bishop of Vicenza, That he had committed many Inhuman Trespasses and Treasons against his Sovereign Prince King Edward, contrary to his Homage and Fealty, &c. And that the Pope should not Ordain or Direct any thing in the Kingdom of Scotland concerning the Men or Inhabitants, or Appurtenances of the same Kingdom, for John Baliol, or his Heirs which are, or may be, or any other Cause whatsoever. And upon these Terms, the Bishop in Name and Stead of the Pope, received him from the King's Proxy, on the said Saturday before the Feast of St. Margaret, A. D. 1299. and 27th of Ed. I. Certainly at this time the Pope understood not that Scotland was his Fee, as he claimed it two years after.

His Character of the Scots.

[4] Append. n. 37. and Prym, Ed. I. f. 665.

[5] Mat. W. ff. c. 43 t. n. 50.

It may be supposed, that King John Baliol was willing to go any whither rather than into his own Country, he having voluntarily, and of his own accord, without the privacy of King Edward, by an [4] Instrument drawn by a Publick Notary the year before, Renounced Scotland, and Resolved never to come there more, or have to do with it, because he had found such Malice, Fraud, Treason, and Deceit in the Scots, that they had designed to poison him.

This year [5] died Two very great Men, Humfrey de Bohun, Earl of Essex and Hertfordshire, and Constable of England, and William Beauchamp Earl of Warwick.

[6] Brevia Regis in Jure Lond. 27 Ed. I. and Prym, Ed. I. f. 809. The King summons the Militia to go with him into Scotland. The Pope sends a Nuncio to complete his Award.

A. D. 1299. 27 Ed. I.

[7] Brevia ib. c. Prym, f. 810. The People dissatisfied at the delay of the Perambulations of the Forests.

Many of the Nobility and People not being satisfied, or seemed not to be so, that the Perambulations, and setting out the Bounds of the Forests, were not done so speedily as they desired, the King sent [7] Writs to the Sheriffs of all Counties to proclaim and give notice, That the Commissioners for these Perambulations should meet

meet at Northampton at Michaelmas next, with full power to proceed in that Business without delay. Dated at Lewis the 25th of June, in the 27th of his Reign.

But this was not thought sufficient, for it was reported and noised abroad, that the King intended not to observe Magna Charta, or the Charter of the Forest, nor would ever suffer the Perambulations to be made, and the Bounds of the Forests to be set out, and therefore the same day he issued a [8] further Proclamation to give the Causes and Reasons why the Perambulations, &c. could not be made sooner, and to let the World know he was pressed too hard, and not in due manner to do these things, and that those who raised these Reports were malicious People, and desired to cause Differences between him and his Subjects, and to disturb the Peace of the Nation. Dated on the same day, and at the same place.

In the beginning of September [9] Margaret, Sister to the King of France, was Conducted into England by the Duke of Burgundy, and Earl of Britan, to whom King Edward was Married on the 12th of this month, in the Cathedral of Canterbury, by the Arch-Bishop. The Wedding was very splendid, and much Foreign Nobility attended the Solemnity. The King's Expectations were every way great from this Match, but it answered them not.

On the Feast of St. Martin, or 11th of November, says [1] Walsingham, the King held a Parlement at York, and from thence went to Berwick, intending to proceed further into Scotland, to Relieve Sterling Castle, then besieged by the Scots; but the Noblemen then with the King, informing and pressing him, the boggy and low Grounds were impassable in the Winter Season, diverted his Intention, and so as he sent to the Besieged, wanting Victuals, to yield the Castle, saving their Lives and Limbs.

At Berwick the King remained until after Christmas, and the Queen at Windsor, but what he did there I find not, other than that he issued his [2] Writs dated at this place December 29th, for the calling of a Parlement at London, to meet on the Second Sunday in Lent.

In which the Charter of the Forest, and Magna Charta, with the Statute of Winchester, were Renewed and Confirmed, and a new Statute made called Articles upon the Charters, Printed in the Statutes at Large, Coke's Second Institutes, and Tottel's Magna Charta, and then it was ordered they should be published by the Sheriffs four times in the year; For the observation whereof, where there was no Remedy at Common Law, there were Three Knights chosen in every County, summarily to hear and determine from day to day, all Complaints concerning such as had offended against them (the King's Ministers not excepted) without allowing any delays, allowable by the Common Law, who had power to punish Offenders, by Imprisonment, Ransom, or Amerciament, according as the Fault required.

Special Commissioners appointed to dispatch that Business.

The People yet not satisfied.

[8] Ibid. and f. 811. The King issues a Second Proclamation to quiet them.

[9] Walsingham. f. 77. n. 10. Mat. W. ff. f. 432. n. 10. 20. A. D. 1299. 27th of Ed. I. King Edward Married to Margaret, the King of France his Sister. [1] Hol. f. 77. n. 30.

Sterling Castle delivered to the Scots.

A Parlement to begin the Second Sunday in Lent.

A. D. 1300. 28 Ed. I. Artic. supra Charta in the Proamble. In which the Charters, &c. were confirmed, and a new Statute made.

[2] *Clauſ.*
28 Ed. I. M.
11. *Dorſ.*
Three
Knights
choſen in
every County
to ſee the new
Statute ob-
ſerved.

[3] *Ibm. M.*
8. *Dorſ.*
Which was to
be read and
published four
times in the
year.

[4] *Ib. M. 7.*
Dorſ.
The Reaſon
why the King
granted the
Statute called
Articles upon
the Charters.

[5] *Ib. M. 8.*
Dorſ.
He appoints
Commiſſion-
ers to make
Perambulations
of the
Foreſts.

The Earls and
Barons not ſa-
tisfied with
theſe things.
[6] *Fol. 80.*
n. 10, 20.
He calls a
Parlement at
Stanford.
The Earls and
Barons came
with Horſe
and Arms.
The King
grants their
Demands.

[7] *Clauſ.*
28 Ed. I. M.
7. *Dorſ.*
The Statute
of Wincheſter
to be pro-
claimed, &c.

To this purpoſe the King [2] iſſued his *Writs* to all the *Sheriffs*, *Coroners*, and *Communities* of Counties in England, to chooſe Three Knights, to be at *Tork* on the *Morrow of Aſcention*, to receive *Inſtructions* accordingly; Witneſs the King at *Weſtminſter*, *March* 27th, in the 28th of his Reign. And likewiſe ſent out other [3] *Writs* to all the *Sheriffs* in England, by which he Commanded them to Read the *Charters*, and publiſh them four times in the year, on the firſt County days after *Eaſter*, *St. John Baptiſt*, *Michaelmaſs*, and *Chriſtmaſs*, and as much as in them was to ſee them firmly obſerved and kept in all their Articles. Witneſs the King at *Weſtminſter*, *March* 28. in the 28th of his Reign.

Within leſs then three weeks after, he alſo directed [4] *Writs* to all the *Sheriffs* in England, to let them know, That the People might be more ready for his Service, and willing to aſſiſt him with Subſidies upon Occaſion, he had upon ſpecial Grace and Favour granted the Articles upon the Charters, ſo much to their advantage; and Commanded them to proclaim them in the County Court, and all *Burghs*, and *Mercate Towns*, within their Counties or *Bayliwicks*, and to cauſe them to be firmly obſerved and performed. Witneſs the King at *St. Albans*, the 15th of *April*, in the 28th of his Reign.

And a fortnight before, he had directed his [5] *Writs* to ſeveral *Commiſſioners* in all Counties, where there were *Foreſts*, to make *Perambulations*, and to receive *Inſtructions* about them on the *Morrow* of the Feaſt of *Aſcention*, with a Charge, that thro' their neglect, they might not remain undone. Witneſs the King at *Weſtminſter*, *April* 1. in the 28th of his Reign.

Yet all theſe *Writs* and *Commiſſions* ſatiſfied not the *Earls*, *Barons*, and others, they ſtill murmured, and pretended, that the *Perambulations* would not be really made, or ſpeedily performed; Whereupon, as *Walsingham* ſaith [6], the King held a *Parlement* at *Stanford*, to which the *Earls* and *Barons* came with Force, with intention, as 'twas ſaid, to extort the full Execution of the Charter of the *Foreſt* then delayed; *Ad quod Parlamentum convenerunt Comites & Barones cum equis & armis, eo prout dicebatur propoſito, ut executionem Chartę de Foreſta haſſenus dilatare, extorquerent ad plenum*. To whoſe Will the King condeſcended, (*eorum voluntati in omnibus Rex condeſcendit*) and granted what they demanded.

At this time he ſent the Statute of [7] *Wincheſter* incloſed to all the *Sheriffs* in England, as it had been Confirmed and Renewed, (See Articles upon the Charters, Cap. 17th) to be Proclaimed, and with Command they ſhould ſee it firmly Obſerved and Kept, in all and ſingular its Articles. Witneſs the King at *Stanford*, *May* the Second, in the 28th of his Reign.

Then

Then Eight Days after, [8] the King being at *St. Edmunds-Bury*, at the Requeſt of the *Prelates*, *Earls*, *Barons*, and others, to Quiet (tho' perhaps not Pleaſe or Satiſſie) them, he renewed his *Commiſſion* to three Knights and others Elected in each County, to ſee the Articles of the Great Charter, the Charter of the *Foreſt*, and Statute of *Wincheſter* obſerved; and to puniſh all Offences againſt them, not puniſhable by the Common Law of the Realm. And this by ſpeedy Juſtice and quick Proceedings, upon Complaints from Day to Day, without allowance of ſuch Delays as the Common Law admitted: Yet with a Saving to the Common Law, that it might not hereby receive Prejudice, or any Plea to be holden by theſe *Commiſſions* that might be Determined by it. Witneſs the King at *St. Edmunds-Bury*, *May* 10. in the 28th of his Reign.

There are two *Writs* upon the ſame Roll and *Membrane*, dated on the ſame Day, and at the ſame Place, to the *Sheriffs* of every County, to be Aſſiſtant to theſe *Commiſſioners*, ſo often as they ſhould give them Notice, and to impower them to Swear the *Commiſſioners* in full County, well and faithfully to Execute their Office.

For the Receiving of the Returns of the *Perambulations* of the *Foreſts*, and Hearing and Determining all juſt Exceptions againſt them, the King Summoned a *Parlement* to meet at *Lincoln*, eight Days after *St. Hilary*, or 20th of *January*. [9] The *Writ* to the *Sheriff* of *Cumberland*, containing, That whereas of late for the common Profit of the People of the Kingdom, he had granted that the Charter of the *Foreſt* ſhould be obſerved in all its Articles, and had aſſigned *Commiſſioners* in every County of England where there were *Foreſts*, to make *Perambulations*, and to make Report to him, before any Execution was done thereon. And for that his Oath, the Right of the Crown of England, his Reaſons and Claims, as alſo the Right, Reaſons, and Claims of all others might be ſafe. He, tho' the *Commiſſioners* had brought to him what they had done, yet becauſe the *Prelates*, *Earls*, *Barons*, and all other Great Men of the Kingdom, in whoſe preſence he would have his own, and the Reaſons of others propounded and heard, according to whoſe Advice he intended to proceed, eſpecially for that they were bound with him by Oath to Obſerve and Maintain the Laws or Rights of the Kingdom and his Crown, (*Jura Regni & Coronę Noſtrę*) were not then preſent with him. And for that likewiſe, thoſe who were to propound their Reaſons concerning this Matter, had no notice of it, without whom a good End could not be put to it; and becauſe this Buſineſs might be Diſpatched without further Delay, willing to have Conference and Treaty with the *Prelates*, *Earls*, *Barons*, and *Gentlemen* aforeſaid, and with others of the Community of the Kingdom upon this Affair, and other arduous Matters touching himſelf, and the ſtate of the Kingdom, he Commanded firmly, enjoining him to cauſe to come before him at his *Parlement* at *Lincoln*, in the Octaves of *St. Hilary* next coming, two Knights of his Country or *Bayliwick*; That is to ſay, thoſe which came for the Community of the County by his Precept to the laſt *Parlement*, and alſo the ſame Citizens, and the ſame *Burgeſſes*, for all the Cities and *Burghs* within his *Bayliwic*; and if any of them were Dead, or Infirm, then

[8] *Pat. 28*
Ed. I. M. 14.
The Commiſſion to three Knights, &c. renewed at the Requeſt of the Prelates, Earls, and Barons.

The Sheriffs to aſſiſt theſe Commiſſioners. And to Swear them faithfully to Execute their Office.

A Parlement called for the receiving the Returns of the Perambulations of the Foreſt.
[9] *Clauſ. 25.*
Ed. I. M. 9. *Dorſ.*
To meet at *Lincoln* Eight days after *St. Hilary*.

The Sheriffs commanded to ſend to this Parlement the ſame Knights, Citizens, and Burgeſſes that were in the laſt.

to cause others to be chosen, and come in their stead, so as that they might be present at the Day and Place aforesaid, with full Power to hear and do, what should be then ordained for the common Profit of the Kingdom: And to cause to be allowed to the same Knights, Citizens, and Burgeses, their reasonable Expences, in coming to, staying at, and going from the Parlement; and further, he commanded the Sheriff publicly to make Proclamation in the County, That all those who would put in any Exceptions against the Perambulations, should appear before him in Parlement, to shew them. Witness the King at the Rose, September 26. in the 28th Year of his Reign.

This is the Full of the Writ of Summons in English, wherein the Reasons are given why the Perambulations, could not be Received and Considered sooner. The Writs to the Bishops, Earls, and Barons, were in the same Form and Words as to the Reasons, &c.

[1] Ibm.

In like manner he [1] wrote to the Sheriffs of all Counties there particularly named, as well those that had Forests in them, as others, except *Cheshire*, which then sent no Members to Parlement.

[2] Ibm. M. 2.

He [2] wrote also to the Commissioners that made the Perambulations, to be at this Parlement, and bring with them those Perambulations, and all things that concerned them.

[3] *Wallingf.* f. 78. N. 20. The King marcheth into Scotland with an Army. The Scots demand their King John Baliol, and to Redeem their Lands. Both their Requests denied. They appear in a mighty Body, yet fly before the King.

[4] Ibm. N. 30. 40. The Scots apply themselves to the Pope for Advice and Assistance against King Edward. [5] Ibm. and *Mat. West. f. 45. 5. 346. 437.* He makes the A.B. of Canterbury his Legate to the King, and by his Letter claims Scotland as the Right of the Church of Rome.

Amidst these importune Pressures of the Nobility, [3] the King marched with an Army into Scotland, and coming into *Galloway*, the Great Men of the Scots desired him to permit *John Baliol* peaceably to Reign over them, and that he would suffer them to Redeem their Estates of such English as he had given them to, declaring, if he would not, they would themselves as well as they could: But he granted neither of their Petitions. Within few Days after, the Scots with their Leaders appeared in a mighty Body, thinking to Surprize the King, and his Army; but he, and his Son marching toward them, they fled to the Hills and Woods.

About this Time, the Scots knowing all things Saleable at Rome, richly Present, or Bribe the Pope, moving him for his Advice and Assistance against their Lord the King of England. Scots cognoscunt, [4] *Rome omnia venalia, Donis Dominum Papam uberius petentes ab eo Conflum, pariter ac auxilium, contra Dominum suum Regem Anglie.* The Pope complies, makes the Archbishop of Canterbury his Legat, sends him Letters to deliver to the King, with order to shew him his Commands. In [5] which he Claims the Kingdom of Scotland as belonging to the Church of Rome by full Right, (*pleno jure*) Requires and Exhorts him in the Name of God, to Discharge out of Prison, and Restore to their former Liberty, all Bishops, Clerics, and Ecclesiastic Persons, and to remove all his Officers, whom by Force and Fear, he had appointed to Govern that Nation under him, and Willed him, if he pretended any Right to the Kingdom of Scotland, or any Part of it, not to omit to send Commissioners fully instructed, within six Months after the receipt of his Letters, to his presence, he being ready

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to do him Justice as his beloved Son, and inviolably to observe his Right, if he had any: Bringing back and reserving by the Tenor of these Letters, all Questions, Strifes, Controversies whatsoever, between him, the Kingdom of Scotland, the Prelates, Clerics, and Secular Persons, which then had been, were, or might be for the future, to the Cognisance, and Determination of the Roman See; Decreeing it void, if any thing should be attempted to the contrary. Dated at Anagni the 5th of the Calends of July, or 27th of June, A. D. 1300. in the 28th of Ed. 1.

The Archbishop was full of Obedience, and very quick in repaire to the King, who was then in Scotland; [6] preparing for his Journey immediately upon the Receipt of the Pope's Commands, and came to him August 25th, being then at Dinner in the midst of his Army, who appointed him the next Day for the Delivery of the Message, which was done, and the Pope's Letters presented to the King, before Edward his Son, the Earls, Barons, and Knights of his Army in great Multitude; who causing them to be Read publicly, were patiently heard of all; when the Archbishop (a sure Friend to the Scots) Encouraged the King, and Persuaded him ([7] as he says himself) by all Ways and Means he could, or knew, to Obey and Comply with all things in those Letters. Then [8] withdrawing by the King's Command, while he Deliberated with his Noblemen, he was called again, and had this Answer, [9] That having received the Pope's Admonition, concerning the State of the Kingdom of Scotland, it was the Custom of England, That in such Affairs, all whom these concerned ought to be advised with: And the present Business of Scotland, having Relation to the State and Right of the Kingdom of England, there were many Prelates, Earls, Barons, and Great Men not then with him in the Army, concerned in it, without whose Advice, he could not Answer fully: Yet that he intended as soon as could, to Consult and Deliberate with the Absent as well as Present, and by their common and joint Determination send the Pope an Answer.

And for this Reason, at the same Time and Place, when he issued his Writs for the Calling of a Parlement to meet on the Offices of St. Hilary, for Receiving of the Perambulations of the Forests, the King wrote also, [1] to some of his own Clerics, several Deans of Cathedral Churches, several Archdeacons, Officials, and others, that had the Best Reputation for Lawyers in those times, to come to this Parlement, for that he would then have special Conference and Treaty with Lawyers, and others of his Council, about the Right and Dominion he and his Ancestors had in the Kingdom of Scotland; and to the same Purpose he [2] wrote to the Chancellors, and both Universities, to send to this Parlement the most Expert and Knowing Men in the Written Law, which were sent accordingly. And further he sent his Writs [3] to several Deans and Chapters, to several Abbots, Priors, and their Convents, (the Chiefest of the Nation) to search their Archives, and send to this Parlement all their Chroniclei, in which was to be found any thing concerning the Kingdom of Scotland to make good his Title to it.

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He readily obeys the Pope's Commands. [6] Ibm. Fol. 418. l. 2. in the A Bishop's Letter to the Pope, or Certificate, what he had done in this Affair. And persuades the King to comply with the Pope's Letter. [7] Ibm. N. 50. in the same Letter. [8] Ibm. [9] Fol. 439. N. 10. The King's Answer to the Pope's Letter.

[1] *Clau.* 28. Ed. 1. M. 3. D. 7. H. Sumons many Clergymen, Lawyers, to the Parlement at Lincolne. [2] Ibm. And sends to the Universities for their best Lawyers. [3] Ibm. & M. 3. D. 7. To advise about his Title to Scotland.

The Resolution of the Barons, with their Letter to the Pope, concerning his Pretences to the Kingdom of Scotland.

* See this Letter in M. W. ff. F. 443. N. 30, 40, & W. ff. 85. N. 10, 20, 30, & Dugdale's Summons to Parliaments. f. 31, 32, 33, 34 from the Record in the Exchequer; with all the Barons' Names, Printed at Oxford in Latin and English 1678, with the Names of the Earls and Barons, the Cuts of their Seals of Arms

A. D. 1301.
29 Ed. 1.

Upon Reading the Pope's Bull by the King's Order, and truly interpreting of it to the Barons in Parlement, there was much Debate amongst the Lawyers, whether, how, or after what manner this Bull or Letter should be answered, as appears by an old Parlement Roll in the Tower, in the 29th of this King, and truly Printed in Mr. Pryn's Ed. 1. what of it remains, Fol. 885. whereupon it was Resolved by the Barons * to write to the Pope, and let him know, That in Temporals the Kingdom of Scotland by no manner of Right whatever belonged to the Church of Rome at any time; That it was an ancient Fee, or Feudal Right of the Crown and Kings of England, and that the Kingdom and Kings of Scotland, have been Subject only to the Kings of England, and no other; and further, That the Kings of England concerning their Rights in that Kingdom, or other Temporalities have never answered, or ought to answer, before any Ecclesiastic or Secular Judge, by reason of his Royal Dignity, and Custom to the contrary in all Ages. And to signify to him, That having diligently considered his Letters, it was, and for the future should be, the common, unanimous, and unshaken Resolution of all and every one of them, That their Lord the King, concerning his Rights in Scotland, or other his Temporal Rights, should in nowise answer judicially before him, or send Proxies or Commissioners to him, especially when it would manifestly tend to the Disinheritance of the Crown of England, and Dignity Royal, and the Notorious Subversion of the State of the Kingdom; to the Prejudice of their Liberties, Customs, and Paternal Laws, which by their Oaths they were bound to Observe and Defend, and by the help of God, would maintain them with their whole Force or Power; nor would they permit the King to do such strange and unheard of things, if he should attempt it: Wherefore they Reverently, and Humbly beseech his Holiness, favourably to permit the King peaceably to possess his Rights, Liberties, Customs, and Laws aforesaid, without Diminution or Disturbance. In Testimony whereof they put to their Seals (104) for themselves and the whole Community of the Kingdom. Dated at Lincoln the 12th of February, A. D. 1301. in the 29th of Ed. 1.

This Business was first Dispatch'd, That as soon as might be, when the six Months after the King had received the Pope's Bull should be Elapsed, in which he had appointed the King to send Commissioners to him, the Pope might receive Satisfaction why they did not come.

At the same time the Perambulations of the Forests, the main Business for which this Parlement was called, according to the purport of the preceding Writ, were Exhibited therein; and as 'tis contained in the [4] Record, the Community of the Kingdom Granted the King a Fifteenth Part of their Moveables, they should have at Michaelmas next coming; and he Constituted them with this Clause, Quod quicquid per istas Perambulationes ponitur extra Forestam, Remaneat extra Forestam; & Residuum remaneat Foresta, secundum metas & bundas in perpetuum; That is, whatever by these Perambulations was Deforested, should remain so, and what was then allowed to be Forest, according to the Metes and Bounds then set out, should be so for ever. These Letters Patents, or Confirmations of all the Perambulations, bear date at Lincoln, Feb. 14.

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in the 29th of his Reign. Thus were the two Charters, and the Great Business of the Perambulations of the Forest fully Settled and Confirmed.

When the Laity gave this Fifteenth, Robert Archbishop of Canterbury would grant Nothing for the Clergy, not of the Temporalities annexed to the Church, without the Pope's special Licence. Pro hoc confirmationis effectu, concesserunt Comites & Barones Regi quintam decimam partem bonorum suorum mobilium, in Festo Sancti Michaelis proximo tunc futuro; sed Robertus Archiepiscopus Cantuariensis pro Clero nihil voluit concedere, neque de Temporalitate annexa Ecclesie, sine Licentia Summi Pontificis speciali, as the Record hath it.

After the Transaction and Settling of these Two great Affairs, those whom the King employed had time from the Chronicles sent to this Parlement from the Monasteries, to make a * Deduction of his Right and Title to Scotland, which was Historical, and almost the same, but more full and particular than that which was delivered to the Scots when he claimed the Superiority, and direct Dominion over Scotland, in the 19th of his Reign. This was sent in a Letter from the King to the Pope, with a Narrative of the whole Nation of Scotland, having done Homage and sworn Fealty to him, and owned and acknowledged him to be their King and Supreme Lord several times; and what they had done against their Oaths, invading, burning, spoiling, and wasting England when they thought fit; and also cautioning the Pope against the false Insinuations and Suggestions of the Scots; concluding with a Petition, That he would have a Paternal Care and Affection to his Royal Rights. Dated at Kenilsey, or Kynardesey, the 7th of May, A. D. 1301. if the Year began at Christmas; if on Lady-day, or 25th of March, then 1302. in the 29th of his Reign.

The King at the Request of the King of France, had granted the Scots a Truce, which was to end at Whitsunday next coming, as says the [5] Writ, by which he Summoned the Earls, Barons, and Knights, (such as he pleased) to meet him at Berwick, in the Feast of St. John Baptist, with their Horse and Arms, and to go with him against the Scots, His Rebels, and notorious Traytors, to Repress their Rebellion and Pride; so the Record, Contra Scotos, Rebelles nostros, & notorie proditores, ad ipsorum Rebellionem, & Proterviam reprimendam. This Summons was dated at Lincoln, Feb. 14. in the 29th of Ed. 1. on the same Day he confirmed the Perambulations.

This Year, the King made his Eldest Son Edward, [6] Prince of Wales, and Earl of Chester; with which the Welshmen were well pleased, as being born at Caernarvon in their own Country.

In Scotland he makes his [7] Procurators or Proxies to the Pope, Walter Bishop of Lichfield and Coventry, Amadeus Earl of Savoy, Otto de Grandison Kt. and Gerrard Arch-Deacon of Lichfield, to desire him speedily to put an end to all Differences between him

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The Laity gave a xvth for this Confirmation. The Arch-Bp. for the Clergy would not do any thing without the Pope's Licence.

* See Mat. Westm. f. 439. n. 20, 30, & W. ff. 81, & R. f. 596. Ed. I. M. 10. Dugl. Printed in Ryley's Placita Parliamentaria, Append. f. 596. The King's Title to Scotland sent to the Pope, with a Narrative of the Perfidiousness of the Scots.

[5] Classf. 29. Ed. I. Dugl. M. — Dugl. Summons to Parl. f. 35.

[6] W. ff. 79. n. 10. Mat. Westm. f. 433. n. 50. Prince of Wales & Earl of Chester. [7] Pat. 29. Ed. I. M. 2. Intro. & Classf. 29. Ed. I. M. 3. Dugl.

and

K. Edw. sends Procurators to the Pope to complete the Treaty of Peace between him & the K. of Fran.

[8] *Walf. E. 8.* n. 50. A. D. 1301. 30. Ed. I. [9] *Ibm. 186. lin. 3.* He grants the Scots a Truce.

[1] *Claufr. 30. Ed. I. M. 15. Dors.* Two of the King's Procurators to the Pope refuse the Employment. [2] *Ibm.* The other two proceed. [3] *Ibm.*

30. Ed. I.

[4] *Rot. Claufr. 30. Ed. I. M. 14. Dors.* The Earl-Marshal grants his Lands, &c. to the King and his Heirs.

[5] *Ibm.* Also his Goods.

[6] *Ibm.*

and the French King, and to complete the long-deferred Treaty of Peace, according to the Form of his Pronunciation, or Decree, made by virtue of the *Compromise* unto him; but the Pope was not at leisure. The *Commissions*, or Procuratory Letters, are dated at *Glasgow*, Aug. 24. in the 29th of his Reign.

The King staid all Winter in *Scotland*, [8] where many of his Military Men lost their Horses for want of Forage. After *Christmas* he again, at the *Instance* of the King of *France*, [9] Granted the Scots a Truce until the Feast of *All-Saints* next coming; and toward the Spring having settled things in *Scotland*, returned into *England*.

All the Arguments the King used by *Letters* and *Messages* to the Earl of *Savoy* and *Otto de Grandison* [1], who were best acquainted with the *State* of his Affairs, and *Differences* between him and the King of *France*, could not persuade them to undertake this *Embassy*, or *Procurator* to the Pope; and therefore he [2] committed the whole *Affair* to the *Bishop* and *Arch-Deacon*, to hear for him and in his Name the Pope's *Pronunciation*, *Will*, and *Pleasure*, in those things that then were not declared and determined between them, by virtue of the *Compromise* made by both into his Person. [3] *Ad audiendum pro nobis & nostro nomine, Pronunciationem vestram, Voluntatem, & Beneplacitum super his que inter Regem Francie, & nos per vos (i. e. the Pope) virtute Compromissi, &c. restant pronuncianda & facienda.* This Letter and new Commission was directed to the Pope, to give him notice of the *Refusal* of the First two, the Earl and Knight, and dated at *Darlington* in the Bishoprick of *Durham*, March 5. in the 30th of *Edw. I.*

In April following Roger le Bigod, Earl of *Norfolk* and Marshal of *England*, granted and quiet claimed for his Heirs, [4] to the King and his Heirs for ever, All his Castles, Towns, Mannors, Lands, and Tenements in *England* and *Wales*, except the Mannors of *Sterington*, *Wylton*, *Thornton*, and *Lewersham*; with the Advowsons of the Churches, and all other their Appurtenances in the County of *York*; and the Mannors of *Acle* and *Castre*, with their Appurtenances; and the Advowson of the Church of *Geldeston* in the County of *Norfolk*, with the Knights Fees, Advowsons of Religious Houses and Churches, Hundreds, Honours, Liberties, and all their Appurtenances, by what Name soever they should be called; so as neither he nor his Heirs, nor anyone in his Name, should have any Right or Claim in them. Which Grant was Dated at the Abby of *St. John's* in *Colchester* the 12th of April, in the 30th of *Ed. I.*

He also made a Grant [5] to the King, of all his Goods and Chattels, upon and in those Castles, Mannors, Towns, &c. except upon the Mannors and Lands before excepted. Dated at the same Time and Place: And made Letters of Attorney of the same Date, to several Persons in every [6] County where he had Lands, to give Livery and Seisin accordingly.

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Further, at the same Place, and on the same Day, he restored, remitted, and quiet claimed for him and his Heirs, to the King and his Heirs for ever, all the [7] Right, Honour, and Dominion he had by the Name of Earl in the County of *Norfolk* and the *Marshalcie* of *England*, with every thing thereunto belonging.

Lastly, he restored, remitted and quiet claimed the [8] Castles of *Brissol* and *Nottingham*, which he was to have held for Life by the Grant of the King, so as he, nor any one in his Name, should claim any Right therein. Dated at *Fulham*, May 15. in the 30th Year of *Ed. I.*

The Reasons of these Grants and Restorings might be what *Mat. Westminster* reports, (tho' he mistakes the Year) in the 33d of this King he says he then had a time of Speaking, and that he warily converted the Earl-Marshal, upon a Conspiracy, which the Arch-Bishop of *Canterbury*, and many Earls and Barons had contrived against him while he was in *Flanders*; who not being able to contradict what the King said, begged his Pardon. For obtaining of which, he made the King Heir of all Things he had: By which means he saved his Life; and the King, as a Reward, added to his Life a Thousand Pounds Land by the Year. Which might be the Mannors and Lands he had liberty to except. [9] *Et aderat tempus loquendi, Rex convenit cuncte Comitum Marchallum super quodam Dedicore, & Conspiratione quam Archiepiscopus Cantuariensis, & plures Comites & Barones contra eum Machinaverant, ipso tunc agente in Flandria, qui nequaquam valens ista contradicere, Gratiam Regis petiit. Pro qua obtinenda, consensit Regem heredem suum universum que habuit, & sic mortem perdidit, & vitam invenit, & Rex Remunerans eum, vitæ Comitum mille libratas Terræ adaugendo concessit.* In like manner the King converted all the others, one by one, that were in this Conspiracy, and fined or punished them in Sums of Money. [1] *Similiter Rex singulatum singulos conveniens, qui huic facto consenserant, pecuniaria pena multavit.*

Yet within this very Year of his Reign, the King [2] re-granted the Earldom and Marshalcie of *England*, with all his Castles, Mannors, and Lands in *England* and *Wales*, to him and his Issue lawfully to be begotten upon the Body of his Wife *Alice*; and for want of such Issue, to return to the King and his Heirs [3]. He died without Issue in the 35th of this King, and the Honour and Estate came into his hands.

Some great Business the King had at this time, that he had fixed in his Mind, and laid much to Heart, for which he sent Peter de Dene Canon of *London*, and Roger le Sauvage Knight, to the Pope. [4] *Dilectos & Fideles nostros Petrum de Dene Canonicum Londinensem, & Rogerum le Sauvage Militem, pro quibusdam negotiis nostris que multum insident Cordi nostro & Domini summi Pontificis presentiam destinantes, &c. joining with them [5] William de Geynburgh his Lieger at the Court of Rome, and [6] writing to M. Cardinal Deacon of New St. Mary in the Porch or Gallery*

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[7] *Ibm.* He Releases and gives up his Earldom and Marshalship.

[8] *Ibm.*

The Reasons why the Earl-Marshal gave the King his Lands, and parted with his Office and Honour.

[9] *Mat. West. f. 452. lin. 2.* He with the A. Bp. and others had conspired against the King.

[1] *Ibm. lin. 8.*

[2] *Rot. Carr. 30 Ed. I. n. 24. 28. 29. Dugd. Bar. vol. 1. f. 136. col. 1.* The King re-grants his Lands, Honor and Office to the Marshal. [3] *Dugd. Bar. ib.*

[4] *Pat. 30. Ed. I. M. 12. m. 10. Pryn's Ed. I. f. 93.* The King sends Messengers to Rome upon secret service. [5] *Ibm.* [6] *Ibm.*

[7] *Ibm.*[1] *Pat. 30.
Ed. I. M. 12.
intur.*Cardinals the
King's Pen-
sioners.[4] *Ibm.*[3] *Cleuf. 30.
Ed. I. M. 6.
Durf.*
New Procur-
ators sent to
the Pope for a
final Conclu-
sion of the
Peace be-
tween the two
Kingdoms.
[4] *Pat. 30.
Ed. I. M. 9.
intur.*
Without ef-
fect.[5] *Dugd. Bar.
f. 183. col. 1.
Ch. R. & f. 27.
Ed. I. M. 23.*
The Constable
grants all his
Lands, Ho-
nours, and Of-
fice to the
King.
[6] *Ref. Clauf.
30 Ed. I. M. 5.
Durf.*
[7] *Ibm.*
The King re-
grants them
upon Marri-
age with his
Daughter.[8] *Dugd. ut
supra. Clauf. 32
Ed. I. M. 16.
Cart. 32 Ed. I.
n. 48.*
John de Sea-
grave made
Guardian of
Scotland.
[9] *Walf. f. 86.
n. 30.*
[11] *Pat. 30.
Ed. I. M. 15.*
[12] *Walf. f. 87.
lin. 3.*

[7] (*Sancta Maria nove in Porticu Diacono Cardinali*) to assist them, and effectually promote his *Business* with the Pope, and for so doing he should always find him ready [1] to do those things which were grateful to him. The same Letters were wrote and directed to Six Cardinals more, Four Deacon and Two Priest Cardinals. This Letter is Dated June 13. at *Chartham*. The Four Deacon Cardinals were his Pensioners: *Luke de Flisco*, Deacon Cardinal of *St. Mary* in the Broad way, *Sancta Maria in via lata* Cardinalis Diaconus. *Peter Piperne*, Deacon Cardinal of New *St. Mary*, *Sancta Maria nove* (not in *Porticu*) Diaconus Cardinalis. *William of Pergamus*, Deacon Cardinal of *St. Nicholas* in the *Tullian Prison* (a Parish in *Rome*, as they all were) *Sancti Nicolai in Carcere Tulliano* Diaconus Cardinalis. *Francis* Deacon Cardinal of *St. Mary* in *Cosmedyn*, *Sancta Maria in Cosmedyn* Diaconus Cardinalis [4]. Who had every one 50 Marks Sterling yearly paid out of the Exchequer by equal Portions at *Easter* and *Michaelmas*, for their Diligence and Sincerity in Transacting his Business.

The King's former Proctors having not done any thing concerning the Peace between the Two Kingdoms, he sends others to the Pope, viz. [3] *William de Gainsburgh* and *H. de Hertpole*, Two Friars Minors, and Two of his own Clerks. *John de St. Clare*, Cannon of *London*, and *Philip Martell*, Professor of the Civil Laws, with *William de Dene* Knight, or any Four or Three of them, with full Power to give a final Dispatch to this Business, according to the Form of his former Pronunciation or Decree [4]. Giving them also in their Commission, or Letters Procuratory, full and free Power, to Demand, Hear, and Receive a total Consummation of his Decree, and the Peace to ensue thereupon. Both these Records are Dated at *Arundel*, Septemb. 9. A.D. 1202. in the 33th of this King. Their Negotiation proved also ineffectual.

As the Earl Marshal, so *Humphry de Bohun*, Son and Heir to that *Humphry* who opposed King *Edward* in the 25th of his Reign, and doing Homage, had [5] Livery of his Father's Lands, in the 27th: This Year also granted all his Castles, Towns, Mannors, Lands and Tenements, Knights Fees, Advousons of Religious Houses and Churches, Hundreds, Honors, Liberties, and all their Appurtenances in *England* and *Wales*, to the [6] King and his Heirs for ever, without any Exception or Reservation of any thing to himself. [7.] And all his Right, Honour, and Dominion he had as Earl in the Counties of *Hereford* and *Essex*, and the Constableship of *England*. The Grant is dated at *London*, the 8th of October, in the 30th of *Edw. I.* Which upon the Marriage of *Elizabeth* 7th Daughter of *Edward I.* Widow of *John* Earl of *Holland*, *Zeland*, and Lord of *Friseland*, were [8] Regranted to him about two years after.

After the Feast of *All-Saints*, when the Truce with the Scots was expired, the King sent [9] *John de Seagrave* with an Army into *Scotland*, [11] making him Governour of *Berwick* and Guardian of the Kingdom; who marching [2] with a small Party towards *Edinburgh*, the Scots, who lay in Ambuscado, wounded and took

took him with several others; but a fresh Party coming up, rescued and took him from those that had him Prisoner.

Next Year, on the 10th of January, A.D. 1203, beginning the Year at Christmas (as *Walsingham* always doth) [3] the King of France, willing to leave the Scots out of the Treaty, and conclude a Peace with *England*, King *Edward* gave his Letters Patents, or Commissions, to *Amadeus* Earl of *Savoy*, *Henry de Lacy* Earl of *Lincoln*, and *Otto de Grandison*, or any Two of them, dated at *Odyham*, January 10. [3] to Prorogue the Truce between him and the King of France, their Kingdoms and Subjects, and to settle a firm and perpetual Peace between them, their Heirs and Successors, against all Persons but the Pope and Church of *Rome*; and also to the same Persons and Bishop of *Worcester* gave Commission on the 2d of March in the same Year to the same purpose, who Treating with the Dukes of *Burgoinne* and *Britany*, and other Commissioners of the King of France, concluded a firm Peace between the Two Kings and their Realms, [4] leaving the Scots out of the Treaty. For the Confirmation whereof, the King made his Letters Patents, and Sealed them at the Town of *St. John's* or *Perth* in *Scotland*, June 10. A.D. 1203. in the 31st of his Reign. All the Procurations, Patents, and other things concerning this Peace, and the Articles themselves, are in a special Roll in the Tower, which at the writing hereof I could have no opportunity to peruse.

Upon this Treaty and Peace, [5] *Gascoigne* was restored to King *Edward*, with all its Rights and Liberties, as he possessed it before the beginning of the War. The Revolt of *Flanders* from the Subjection of France (which had been subdued when King *Edward*, by reason of the Domestic Troubles, and Confusion of his own Affairs at home, was not able to assist the *Flemmings*) [6] contributed much to the advancement of this Peace; for the French attempting to regain *Flanders*, were every where beaten, and their Armies routed, and in all their Attempts had ill Success.

This Year the Scots armed again, under the [7] Conduct of *William* *Waleys*, and the King summoned his Militia to be at *Roxburgh* in *Scotland* on *Whitsunday*, from whence by small Marches he went through the whole Kingdom to *Catbess*, no Force opposing him. The Scots finding they were not able to resist, sent Mediators, and humbly craved his Peace, and that they might be permitted to compound for their Estates with them to whom they had been given; both which the King granted. In his Return from the North, passing it by as he went, he besieged *Sterling* Castle, which was defended against him, and staid all Winter at *Dumfermling* not far from thence. *Mat. Westminster* says, the Great Men of *Scotland*, as well Earls as Barons [8] *Magnates Regni Scocie, tam Comites, quam Barones*, being wholly reduced and overcome, submitted themselves to the Will of the King of *England*, who admitted them to his Grace and Mercy, imposing upon them a pecuniary Mulct, appointing them Days and Years, and certain Times for the payment of it.

This

Taken Prisoner, and rescued.

A.D. 1203.
Pryn's Ed. I.
1020[1] *Pryn's Ed. I.
f. 1020*
The Truce with the King of France prolonged.
31 Ed. I.
A Peace between the two Kings.[4] *Ibm.*
The Scots left out of it.[5] *Mat. West.
f. 446. n. 20.*
Gascoigne restored to King *Edward*.
The Revolt of *Flanders* the cause of this Peace.
[6] *Ibm* n. 30.
Ch. R. & f. 330.
Hist. R. f. 330.[7] *Walf. f. 86.
n. 40. f. 87.
n. 10. 20. 31*
Ed. I.
The Scots arm again under *W. Waleys*.
They crave Peace, and have their Terms granted.
[8] *Ibm* f. 86.
n. 40. 50.

[9] Ibm. f. 447. N. 30.
Pope Boniface the 8th dies.
[1] *Walsing.* f. 87. N. 20. f. 89. n. 10.
Benedict the 11th Chosen.
[2] Ibm. f. 89. N. 40.

Sterling Castle yielded upon Discretion.
A. D. 1304.
32 Ed. 1.

[3] Ibm. N. 50.
John Segraue appointed Guardian of Scotland.

[4] Ibm.
The Kings Bench and Exchequer removed to London.
[5] *Mat. West.* f. 448. lin. 7.
A. D. 1304. 32 Ed. 1.
The Cardinals Nine Months in choosing a Pope.

[6] Ibm. f. 451. N. 10.

Ryleys Placita Parliament. f. 369. from the French Record there.

The Terms of Peace given to, and accepted by the Scots.

This Year on the [9] 12th of *Octob.* died with Grief and Anguish of Mind, Pope Boniface VIII. after he had been [1] accused by the King of France of Heresie, Simony, and Murder, imprisoned, and plundered of all his Goods; and the Bishop of *Offia* was chosen Pope, by the Name of Benedict XI.

After Winter the [2] King went in Person to the Siege of Sterling Castle, when it was briskly plyed with Engines, yet they within made a good Defence; but being very hard pressed by the Besiegers, the King being there all the time, the Castle was yielded upon Discretion on St. Margaret's Day, or 20th of July, the Governor whereof William Olifard who had surprized it, was sent to the Tower of London, and others to divers Castles.

The King [3] having thus subdued Scotland, according to his Mind, returned into England, appointing John de Segraue Guardian of it, and when he came to York [4] removed the Courts of Kings Bench and Exchequer, which had been there seven Years, to their old Place at London.

On the Seventh of July this Year died [5] Pope Benedict, and in nine Months the Cardinals could not agree about the Choice of another; at length, they unanimously chose the [6] Archbishop of Burdeaux, Bertram de Angeous, upon Whit Sunday the Year following, by the Name of Clement the Fifth.

Toward the latter End of the Year of the Lord 1304. and within three Months after the Beginning of the 33d year of the Reign of the King, we find it Recorded upon what Terms the Scots made their Submission after their last Insurrection, the Title of the Record is, The Terms given to, and accepted by John Comyn, his Aydants and Assistants, were these following in this Form.

These are the Things agreed on *with Monsieur Richard de Burgh Earl of Ulster, Monsieur Aymer de Valence, Seigneur de Montignak, Monsieur Henry de Percy, Knights, and John Benfede, Clerk, on the Part of King Edward, and John Comyn of Badenagh, for Himself and his Aydants of Scotland, as well those that were out of it, as within it. For the Faithful Keeping and Observing whereof, the said Earl, Aymer, Henry, and John de Benfede, in the Name of the King, and the said John Comyn, Monsieur Edmund Comyn de Kilbride, Monsieur John de Graham, Monsieur John de Vaux, Monsieur Godfry de Roos, Monsieur John de Maxwell the Elder, Monsieur Peter de Prendregys, Monsieur Walter de Berkeley de Kerdaun, Monsieur Hugh de Erth, Monsieur William de Erth, Monsieur James de Roos, and Monsieur Walter de Rothevan, Knights, for themselves, and all their Scots assistants, who would be in the Peace and Faith of the King, were Sworn.

First, It was agreed, That all Manner of People of Scotland, who came to the Peace of the King with the said John Comyn, except the Persons after named, should be received to the Conditions following, to wit, Their Lives and Limbs or Members were saved, They were

were to be Free from Imprisonment, and not to be Disherited, except for their Ransom or Fine, and the Amends for their Faults only committed against the King.

Secondly, Those under Age ought to have the same Conditions, as to their Lives, Limbs, Imprisonment, and Disheritance.

Thirdly, For their Ransom, and all other Things, it should be as the King should order in his next Parlement, which was on the Sunday after the Feast of St. Mathew next ensuing, and the Establishment of Scotland was to be as it should be then ordained.

Fourthly, All the strong Holds now in the King's or his Friends Hands, should Remain so, and the Charge of keeping them, should be Defrayed out of what belonged to them, or in other Convenient manner, by those who had the Custody of them, or to whom they were Deliver'd.

Fifthly, The Prisoners on both sides were to be set Free, except Monsieur Peter de Morham, and his Father.

Sixthly, That the Hostages for the Payment of the Ransoms of Prisoners on both sides, should be Released.

The Persons Excepted, were Robert Bishop of Glasgow, Monsieur James the Steward of Scotland, John Soules, Monsieur David de Graham, Monsieur Alexander de Lindesey, Monsieur Simon Fraser, Thomas Du Boys, and Monsieur William de Wakeys, concerning whom it was agreed, That the Bishop as to his Body and Temporality, the Seneschal or Steward, and John Soules, should have the same Conditions with the Commons (That is, have their Lives and Limbs safe, be free from Imprisonment, and not Disinherited) but with two Years Banishment out of Scotland beyond the River Trent; That the Steward's Castle should be in the King's Possession during his Exile, and he to be at the Charge of keeping them.

Concerning Monsieur David de Graham, and Monsieur Alexander de Lindesey, it was agreed, They should have the same Conditions, and be Banished Scotland for half a Year, David beyond the River Tweed, and Alexander beyond Trent. As to Monsieur Simon Fraser, and Thomas Du Boys, it was agreed also, That they should have the same Conditions, but be Banished the King's Dominions for three Years, and also out of the Dominions of the King of France, unless in the mean time they could find Favour; and as to William Wakeys he was to submit himself wholly to the Mercy of the King.

Further it was agreed, That the Bishops of St. Andrews and Dunkeldin, the Earl of Bongan, (i.e. John Comyn,) the Seneschal, or Steward of Scotland, Monsieur John de Soules, Monsieur Ingelram de Humfravill, and the other Persons of Scotland, which were abroad, and the Confederates of John Comyn, should come to the King's Peace within Fifteen Days after Easter next, every one according to his Quality, at Dumfermling, to do Homage, and swear Fealty.

And

And be it known, That the foresaid Earl of Ulster, Aymer, Henry and John Bensted, promised in Good Faith, to use their best Endeavour with the King, to Ratify in all points this Accord by his Letters Patents, so soon as John Comyn and others, that should come with him, had done their Homage, and sworn Fealty in due manner. In Witness whereof, one Part of the Indenture which was to remain with the King was Sealed by John Comyn, Edmund Comyn, John de Graham, John Vaux, and others, and the other Part was Sealed by the Earl of Ulster, Aymer, Henry and John Bensted. Dated at Strathord the 9th day of February, in the 33d year of the King; the Title of the Record is, *Forma Pacis Scotie in Adventu Johannis le Comyn, & aliorum*: The Form of Peace of Scotland upon the Submission of John Comyn, and others.

In the [8] Parlement at Westminster, on the Sunday after St. Mathew the Apostle, the King enjoined the Bishop of Glasgow, (how it came to be so at this time I find not) the Earl of Carrick (i.e. Robert Bruce) and John de Moubay, [9] That they would treat amongst themselves, and agree upon a Day and Place for a Parlement to be called concerning the State of the Kingdom, and People of Scotland, the Number and Quality of the Scots who should come to it, and others who should stay in the Kingdom, and have the Care of it.

Their Advice and Agreement [1] was, That the Parlement should not be well assembled before Midsummer, and the Place to be where the King pleased; That as to the Persons Two Bishops, Two Abbots, Two Earls, Two Barons, and Two for the Commons, (& Deux par la Commune) were a sufficient Number, if the King thought so. And concerning the Persons that were to take care of the Kingdom, they thought, the present Guardians, and King's Ministers with the Community were sufficient for that; [2] which things being Read before the King and Council, on the 26th of March, the King Answered, Willed, and Granted, (*Vult & Concedit*) the Day of the Parlement should be three Weeks after Midsummer; and that it should be at London. That Ten who should be chosen by the whole Community, might come to the Parlement for the whole Community of Scotland, and that the Keeping of the Nation should be as they had said.

They three Petitioned the King, That those which were Elected to come to this Parlement for the Community, might have their Charges and Expences born by them. His Answer was, [3] *Rex vult, &c.* The King Wills, That those Ten who shall be chosen to come to the Parlement for the whole Community of Scotland, shall have their Expences of that Community, &c.

This Parlement was [4] Prorogued from three Weeks after the Feast of St. John Baptiste, to the Feast of the Assumption of the Virgin Mary, or 15th of August, and from thence to the Octaves of the Nativity of the same Virgin, or 15th of September, [5] at which time came the Scots Commissioners chosen by the Commonalty of Scotland, * who met for that Purpose at Perth, on the Morrow of Ascension; the Bishops of St. Andrews and Dunkeldin; the Abbots of Comper and Menros; the Earl of Bobban; Monsieur John de Moubay; Monf. Robert de Keth; Monf. Adam de Gardan; Monf. John de Inchemartin; Earl Patrick, who was chosen by the Commonalty to be the Tenth, came not, and therefore by Command of the King,

[8] *Regis Placit. Parliament. f. 240. A.D. 1304. Ed. 1. 33 d.*

[9] *Ibm. f. 243* There Scots, a Bishop, Earl, and another, to agree upon the Number and Quantity of the Scots to come to an English Parlement.

[1] *Ibm.* They agree upon the Number and Quality of those Persons.

[2] *Ibm.* A.D. 1305. 33 Ed. 1.

The King appoints the Time of the Parlement, and consents to the Number of Commissioners to be chosen by the Scots.

[3] *Ibm. f. 244.*

Those Commissioners to have their Expences born.

[4] *Ibm. f. 503 & Claus. 33 Ed. 1. M. 13. Des. in ead. lib.*

[5] *Ibm.* *Ibm. f. 279.*

The Names of those Scots Commissioners.

King Monsieur John de Monteith was assigned in his stead; [6] These with Twenty English there named, Treated about the Establishment of Scotland, and settled the King's Lieutenant, or Guardian, the Chancellor, Chamberlain, Judges and Sheriffs, all by Name, as well of those that were born in Scotland, as English; They likewise settled the Coroners, the Castles, and Constables of Castles; They also ordered all things concerning the Laws and Usages of Scotland, concerning the Peace, and Disturbances of the Peace, and concerning the whole Government. And the Title to this Record is, *Ordinatio facta per Dominum Regem, super stabilitate Terræ Scotie*; The Ordinance made by the King for the Establishment of Scotland.

King Edward thinking himself safe by this Establishment, thought he had now a time to speak with the Arch-Bishop of Canterbury, [7] whom he accused of a Confederacy with certain Earls, and Noblemen, to Detrone him, and keep him in Prison; and Crown his Son Edward, which when he could not deny, being severely rebuked by the King, he fell down at his Feet with great bowling, and much weeping, beseeching Pardon, calling the King his Lord, which he never did before in Speech or Writing; [8] So this Proud Man, hated of God and Men, who with his Pride had Blackened the Priesthood, and Clergy of all England, (*Sacerdotium & Clerum per totam Angliam sua superbia deturpavit*) and Exercised an unheard of Tyranny over the People, now taken by the King in his own Wickedness, conscious of it, and affrighted with the fear of Punishment, as he lay prostrate on the Ground before the King, committed himself and his Goods to his Mercy.

The King [9] Complains of him to the Pope, and prosecutes him before him, for disturbing the Peace of the Kingdom, and causing often Commotions in it, defending and encouraging Rebels; and intending to Disinherit him; for which Crimes, at the Instance of the King, he was cited by the Pope to his Court, and was there suspended from the Execution of his Office, (*ab executione, officii sui & temporalium atque spiritualium administratione suspensus est*) whilst he should purge himself of what was objected to him by the King.

Upon this Suspension the [1] Pope deputed certain Persons to administer the Spiritualities and Temporalities of the Archbishoprick, and receive the Profits to his Use. As to the last the King [2] wrote to him, it was to the manifest prejudice of his Crown and Dignity, and therefore he had caused them to be seized, as he might lawfully, and was bound to do, by his Royal Right, and according to the Custom of the Kingdom. Yet the Profits of the Temporalities belonged to the Crown during the Suspension, for the particular Affection he had to his Person, he was willing, and granted, that the Guardian thereof, should pay them to such as he should assign to receive them.

Not long after the last Parlement, and the Establishment of Scotland made therein, and agreed unto by the Scots Commissioners, the King made these his Letters Patents, according to the former

[6] *Ibm.* The Settlement of Scotland by those Commissioners, and 28 English.

The King accuteth the Arch-Bishop, &c. of Treason.

[7] *Chron. Will. Thom. c. 2004. n. 50. 60. &c. and antiq. Eccles. Britan. from the Annals of St. Augustine in Canterbury, f. 207. n. 10, 20.*

[8] *Ibm* in both.

[9] *Reg. Rom. 34 Ed. I. M. 10. n. 50. Hist. W. Will. f. 454 n. 10.*

The King prosecutes him before the Pope, who suspends him, &c.

[1] *Reg. Rom. 34 Ed. I. M. 5. n. 9.*

[2] *Ibm.* The same Letter dated at Brindis in March 1304, Sept. 7. The King would not permit the Pope to re-appoint Receivers of his Temporalities, during the Suspension of the Arch-Bishop.

Covenants and Agreements made between Richard Earl of Ulster, Aymer de Valence, Henry de Percy, John Bensted, and John Comyn, &c. in February preceding.

Regis's Placita Parliament. E 366.
Letters Patents for the Establishment of Scotland.

Edward by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitaine, to all those that shall see or hear these Letters, Greeting; For the perpetual Memory of things underwritten we let you understand, That the People of Scotland, after they were in our Homage and Ligeance, and bound to us by Oath of Fealty, and by their Charters, or Writings, as strongly as we or our Council knew how the order and direct, by evil Counsel rose, and made War against us, committing Robberies, Burnings, Murders, Felonies, and many other Evils and Mischiefs according to their Power in Scotland, and in England, contrary to their Homages, Fealties, and Ligeances aforesaid. And afterwards many of them returned to our Faith and Obedience, and were received to our Peace and Will; and at last John Comyn, Lord of Badenagh, and the others of his Party, came also, and were received (a nostre pees a nostre foi) to our Peace and Faith, so as for their Ransoms, and Amends, for their Trespasses, and Outrages, only against us, and for the Establishment of Scotland, (esteueissent a nostre ordinance & a nostre volente) they should be at our Ordinance and Pleasure; We notwithstanding these Contempts, Trespasses, Outrages, and Disobediences of the People of Scotland towards us, have been so great and heavy, as there cannot sufficient Amends or due Satisfaction be made for them at any time, as they themselves acknowledge, tho we cannot suffer such Crimes to pass without some Punishment, yet seeing those People have behaved themselves well and loyally since our last being in those Parts, and for the Hopes we have of their good Behaviour and Service for the future, willing to do them special Grace, Have granted, and do grant their Lives and Limbs shall be safe, and that they shall be free from Imprisonment, and not Disinherited; saving to us always the Lands, Tenements, and Lordships, the Demeasns and Appurtenances of the Royalty of Scotland, which John Baliol, late King thereof, gave away, and alienated, to do our Pleasure with them; And we Pardon and Release to the People aforesaid, that have submitted and received our Peace and our Faith, the Crimes committed against us, the Anger, Rancour, and all manner of ill Will we any ways had against them, so as they shall be bound to pay what is ordered by us, and our Council (solonc nostre dit *dictum*) & nostre prononciacion que sensuent en cest form) according to our Decree and Determination, which follow in this Form.

The Articles of that Establishment.

First, We Order and Decree, that John Comyn, and the others with him which shall come to our Peace and Faith, upon the Covenants granted them, (Qui ove lui vindrent a nostre pees & a nostre foi, par mi les covenances qui leur furent grantez) shall pay for their Ransom, (paient pur Ranzon & amends des trespas par eux faitz, &c.) and Amends of the Crimes by them committed, Three years value of their Lands and Rents, toward the building of new Castles in Scotland, for security of the Nation, and preserving the Peace, or to other Uses as we shall think fit. And we Pardon the said John Comyn and David Graham their Exiles, and remaining out of Scotland according to the * Covenants aforesaid.

Further

* The Covenants made with John Comyn.

Further 'tis Ordained by us and our Council, That the People of Scotland which submitted to us before John de Baliol, shall pay only the Rents of Two years of their Lands, except those that can shew themselves acquitted by our special Grant or Deed.

The same Order and Decree was made concerning Adam de Gourdon, and Simon de Fraser Kt.

Further we Decree and Determine, That the Bishops, Abbats, Priors, and the Clergy of the Kingdom of Scotland, except the Bishop of Glasco, shall pay for their Ransom, and their Crimes, the value of their Rents and Lands for one year, except those that can shew by special Deeds, or other manner, they ought to be discharged.

The Bishop of Glasco was to be upon the same Terms with John Comyn in all respects, and also as to his Banishment, which was remitted.

Further, That Ingelram de Umfrevil, because he made his Submission but a little while before these Letters were granted, should pay Five years value, &c. And that William de Baliol, and John Wychard, should pay for the same Reason Four years Rent.

Further, That Hugh de Adrossan, John de Gourley, John de Naper, and John de Makilgoigny, who were of the Retinue of the said William Ingelram, and John, should pay Three years value.

Further, For the time and manner of payment of these Compositions or Fines, the King's Lieutenant and Chamberlain of Scotland should make a reasonable and just Extent of the Lands of the Offenders, according to the present value of the Lands, and according to that Extent the Composition or Fine was to be levied and paid every year, at the usual time of Payment, half the value; and so from year to year till the whole was paid, and the other half of their Lands and Rents should remain to them for their support and maintenance.

And 'tis to be known, That our Will is not, that this Determination should extend to, and be understood of such Persons of the Scots as were Prisoners upon this Occasion, nor of such as have not submitted to our Peace or Faith. In Witness whereof we have caused these our Letters Patents to be sealed at Westminster the 15th of October, in the 33d of our Reign. The Title of this Patent is, *Forma pacis Scotie*; The Form of Peace of Scotland.

William Waleys could not be mentioned in this Record, having been taken about the Feast of the Assumption of the Virgin Mary, or 15th of August, two months before the Date of it, and brought to London, where on the Eve of St. Bartholomew, he was Condemned to be Hanged, Drawn, and Quartered, his Head to be fixed upon a Pole on London-Bridge, and his four Quarters to be sent into Scotland, and set up in four parts of the Kingdom.

William Waleys taken, Hung'd, Drawn, and Quartered.

A. D. 1306.
34 Ed. I.

[5] *Mat. Wiff.*
f. 453. n. 10,
20, 30.

The Scots, Bi-
shops, Noble-
men, and o-
thers Perjur-
ed twice or
thrice.

They Con-
spire against
King
Edward, and
set up Robert
Brus.

John Comyn
Murdered,
because he
would not be
Perjured.

A. D. 1306.
34 Ed. I.

Notwithstanding this *Establisment*, the *Agreement* and *Forms* of *Peace* by *Consent* of the *Scots*, and their *Commissioners*, when the King expected nothing but *Peace*, and fair *Compliance*, [5] in *January* following the *same Scots* that had *twice* or *thrice* done *Hon- age*, and sworn *Faith* to King *Edward*, and the *Bishops* them- selves that had sworn *Faith* and *Truth* to him as heartily as other *Men*, joined with *Robert Brus* Earl of *Carrick*, in setting up his *Title*, and especially the *Bishops* of *St. Andrews*, and *Glasco*, and *Abbat* of *Schone*, who were the great *Contrivers* of his *De- sign*, and *Affistants* in it, and begun a *War* more troublefom and lasting then any before; and because *John Comyn* was very resolute in keeping his *Oath*, and would not join with them, being a *Man* of great *Power* and interest in *Scotland*, and much pressed to do it by *Robert Brus*, he with his *Followers* killed him in the *Church* of the *Friers Minors* of *Dunfer*, on the 29th of *January*, and upon the *Annunciation* of the *Blessed Virgin* next following, he was *Crowned* at *Scone* in the presence of the *Two Bishops*, the *Abbat*, and many other *Earls*, *Barons*, and *Knights*.

A

B

C

D

E

F

[6] *Ib. f. 454.*

n. 10.

The Pope Ab-
solves the
King from his
Oath con-
cerning the
Perambula-
tions of the
Forests.

In *Easter* [6] *Week* ensuing, the *Pope's Bull* was published, absolving the *King* from the *Oath* of *Deforesting*, or laying out of his *Forests*, such *Lands* as were, or ought not truly to be con- tained in them, and abolishing and punishing all *Ill Practices*, and *Ufages*, *Tricks* and *Deceits* of his *Officers*, within and belong- ing to them, *Excommunicating* such as *observed* it, and *absolving* such as broke it.

[7] 34 Ed. I.

M. 13 & 14.

The King
troubled at
the Actions of
his Officers.

In the *Historians* it appears not what use he made of this *Ab- solution*, but in a *Writ* or *Letters* upon the [7] *Statute Roll*, with the *Ordinance* he then made, Dated *May 28*. he *Expressed* himself much *troubled* in *Mind* for the *Clamours* of the *People*, who, as he there *says*, were much *oppressed*, *impooverished*, and *injured* by the *Officers* of his *Forests*, and therefore desiring to *obviate* these *Oppressions*, and *Grievances*, which he could not *pass* by without great *Scandal* or *Offence*, (*Que absque gravi scandalo duntius sub dissimulatione preterire non possumus*) and to provide for the *Peace* and *Tranquillity* of the *Kingdom*, he *Emitted* the fore- said *Ordinance* of the *Forest*, Dated *May 28*. in the 34th year of his *Reign*, Printed in *Total's Magna Charta*, 1556. *Part. 2.* p. 67. a. but with this *Writ*, or these *Letters*, which were [8] sent into every *County* in *England*, with *Command* to the *Sheriffs* to cause them to be read, and the *Ordinance* contained in them, to be *proclaimed* in full *County*.

[8] *Ib. Rot.*

Star. 34 Ed. I.

M. 13 & 14.

[9] *Mat. Wiff.*

f. 454. n. 30,

40, 50. and

f. 455.

The King
sends an Ar-
my into Scot-
land.

[1] *Ibm.*

And Knight-

ed 300 Sons

of Noble-

men, &c.

The *King* being fully informed of the *Insurrection* and *Pro- ceedings* of *Robert Brus*, and his *Confederates*, [9] sent *Aymer de Valentia* Earl of *Pembroke*, *Robert Clifford*, and *Henry Percy*, into *Scotland*, with a good *Force* against the new *Crowned King*; and the *King* intending to follow them, summoned his *Army* to *Rendezvous* at *Carlisle* 15 days after *Midsummer*, and to make the *Expedition* more great and glorious, he *Knighted*, [11] with his *Son*, on *Whitsunday* at *Westminster*, *Three hundred* young *Gentle-* men,

men, the *Sons* of *Earls*, *Barons*, and *Knights*, that had *wherewith- all* to maintain their *Honour*, and gave them their *Military Gar- ments* out of his own *Wardrobe*; [2] These, with the *Prince*, were to march with him into *Scotland* against his *Enemies*; They set forward on the *morrow* of *Holy Trinity*, but before they came there, the *Earl of Pembroke* had fought with, and routed the *Scots*, and put their *King* to flight at *Metfen* near *St. John's Town*, or *Perth*, 2 or 3 days after *Midsummer*. In this *Battel* many were killed, and many of *Note* taken; [3] most of which were *Tried* and *Hanged* for *Perjury* and *Rebellion*. Afterwards, the *King*, *Prince*, and many *Great Men*, went into *Scotland*, when some received them *Honourably*, others left their *Habitations* and fled. The *Army* roving up and down after the *Fight* pursued the *Fugitives*, some they killed, others they took alive, amongst whom were the *Two* [4] *Bishops*, and the *Abbat*, armed under their *Sur- coats*; These were sent into *England*, and *imprisoned*. The *Bishop* of *St. Andrews* was sent to the *Sheriff* of *Hampshire*, to be kept in *Winchester Castle*, as the *King's Enemy*, *Rebel* and *Traytor*, and by the [5] *Mittimus* or *Warrant* he was to be kept in the *strongest Tower* of the *Castle*, and safely, and securely put in *Iron Fetters*, under *Penalty* of the *Sheriffs* forfeiting all his *Goods*, *Lands*, and *Tenements*, if he made his *Escape*; By the *Warrant* no *Man* was to see, or speak with him, but such as the *Sheriff* should ap- point to attend him; And for further *Security*, the *Sheriff* was to take as many *Landed Men* of the *Vicinage* as he thought fit, to assist him and the *Custos* or *Warden* of the *Castle*, as his *Guard*, under the same *Penalty* with the *Sheriff*, if he *Escaped*.

A

B

C

D

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The *Bishop* of *Glasco* was sent to the *Castle* of *Porchester* in the same *County*, by a *Mittimus* or [6] *Warrant* in the same *Form*, and *Words*; as also was the *Abbat* of *Schone* sent to the [7] *Castle* of *Mere* in *Wiltshire*, by the like *Mittimus* directed to the *Sheriff* of that *County*.

The *Pope* being informed of the *Murder* of *John Comyn*, by his [8] *Bull* directed to the *Arch-Bishop* of *York*, and *Bishop* of *Car- lisle*, ordered them to *Excommunicate* *Robert Brus*, and all his *Complices*, until they made *Satisfaction*, and deserved *Absolution*. And the *King* made *Inquisition* [9] in *Scotland* by *Men* of *Credit*, (*per fide dignos homines*) who, and what *Persons* committed the *Murder*, and were present at the *Coronation* of *Robert Brus*, and took them almost all, and put them to death.

And for the greater *Security* of the *Peace* of *Scotland*, it was agreed by the *King* and his *Council*, That the *Guardian* of *Scotland* should cause to be proclaimed in all *Cities*, *Burghs*, and *Mercate Towns*, and in other *Places* where he thought fit; That all such who were against the *King* in the last *War*, and were not come to his *Peace*, and others who committed *Felonies*, and other *Crimes*, for which they ought to lose *Life* or *Member*, and were not taken, should be apprehended by any *Persons* where ever they came, and to that purpose to *Levy Hue and Cry*, with *Horn* and *Mouth*, and pursue them with *force*, from *Town* to *Town*, *Country* to *Country*, *County* to *County*, until they rendered themselves, or were taken dead or alive, and

[2] *Ibm.*

The Scots
Routed and
put to Flight.
Many of the
Scots Tried
for Perjury
and Rebellion,
and Hanged.

[3] *Ib. f. 455.*
n. 40. 50. and
f. 456. n. 10,
20, 30.

The two Bi-
shops, and Ab-
bat, the Con-
trivers of the
Rebellion
taken.

[4] *Ib. f. 455.*
n. 30.

The Bishop of
St. Andrews
sent Prisoner
to Winchester
Castle.

[5] *Append.*
n. 38.

The Sheriff
of Hampshire
charged with
him.

[6] *Classf.*
34 Ed. I. M.
6. intrus.

The Bishop of
Glasco sent to
Porchester
Castle.

[7] *Ibm.*

[8] In Turri
Lords, 34 Ed. I.
and Pryns,
Ed. I. f. 1122.

The Pope Ex-
communi-
cates the
Murderers of
John Comyn.

[9] *Mat. Wiff.*
f. 456. n. 10.

Classf. 34 Ed. I.
M. 3. Durs in
Froeb, and
Riley's Appen.
f. 510.

Ordinances
made by King
and Council,
for the securi-
ty of the
Peace of
Scotland.

and that those who neglected to do this, should lose all their Goods, and be imprisoned during the King's Pleasure. The Guardian was likewise to inquire after the Receivers of such Persons, that they might have such Justice as they deserved.

It was then also Accorded, That all those who were Guilty, and Authors of the Death of John Comyn, should be Drawn and Hang'd, and those that advised, and assisted to it, and those who after the Fact knowingly and willingly, or freely received them, should have the same Judgment.

And those that were guilty of his Death, that were, or should be taken by force in this War against the King, should be Hanged, or have their Heads cut off, and their Receivers to have the same Judgment.

And all that were against the King in the War at any time, as well before, as in, and after the Battel of Metten, those who were the most notorious and dangerous of them, should be put in Prison where the King should appoint, and not to be released but by his Order.

And those who willingly were of the Party of Robert Brus, or were aiding, advising, procuring or persuading the People to Rise contrary to Law, and were thereof Convicted, whether Clerks or others, were to be imprisoned during the King's Pleasure.

And it was Agreed, That the People of Scotland who were forced to rise against the King in this War, should be Fined as the Guardian should see cause, and according to their Offence; and for the greater Authority, and Execution of this Agreement, the King caused it to pass under his Seal of Scotland.

The Senesch. or Steward of Scotland his acknowledgment of his Crimes against King Edward.

He renews his Homage and Fealty.

How, and in what manner he bound himself to be true and faithful to him, and his Heirs.

In the same Roll and Membrane, there is the Acknowledgment made by himself of the Heinous Crimes and Offences of James the Steward of Scotland against his Liege Lord King Edward, against the Homage and Fealty he did, and swore to him, and against his Ligeance, whereupon he rendered and submitted high and low and in all things, his Body, Lands, and Tenements, and all he had or might have, to his Will, who of his special Grace Restored to him all he held in Scotland, for which being free, delivered out of Prison, and in his own full Power, he again did Homage, and made Oath of Fealty, as he had done in the 24th of his Reign; and for the sure keeping and performing his Homage and Oath in all Points, he bound his Body, his Heirs, Lands, Tenements, all he had or could have high and low, and in all things, to the Will of the King and his Heirs; And Willed and Granted for him and his Heirs, That if he or they, should ever be in War against him or them, or Aiding or Advising any of their Enemies secretly or openly, that then their Bodies, Lands, Tenements, and all they had or could have, should from that time be forfeited to the King and his Heirs, in such manner as neither he, nor his Heirs, might claim them at any time. And further he Granted for him and Heirs, That if at any time it should happen they should be against the King or his Heirs, as aforesaid, That the Arch-Bishops, Bishops, or any other Prelates of England, or Scotland, as many, and such as the King or Heirs

Heirs would, without Cognisance of the Cause, or any manner of Admonition, Warning, or Contradiction of any one, might give the Sentence of Excommunication against him and his Heirs, and put all his Lands under Interdict. In Witnes whereof he Sealed these Letters Patents, in the Priory of Canons at Lanercost, 23d of October, A.D. 1266. and of the King's Reign the 34th. Done in the presence of five Barons, two Knights, and four Clerks, with Two Publick Notaries allowed by the Pope, to attest it.

On the 3d of [1] November, being then at the Priory of Lanercost in the County of Cumberland, near Carlisle, the King issued his Writs of Summons for a Parliament to meet at that City on the Octaves of St. Hillary, or 20th of January. This Parliament was called for the Settling, and Establishment of Scotland, and for other Business concerning the King, and the State of the Kingdom, as appears by the Writ; What was done concerning Scotland I find not; the Business of the Kingdom was (besides the hearing many Petitions and dispatch of much private Business) the great Oppression of Churches and Monasteries. [2] The Oppression of Monasteries, as was shewed by the grievous Complaints of the Great and Noblemen, arose from the imposition of Tribute, by their Superiors, (as then called) from beyond the Seas, as especially by the Abbats of the Orders of Cisteraux, Cluny, Premonstratens, of St. Augustin, and Benedict, who under pretence of visiting them here in England, as being the Heads of their Orders, imposed upon them divers grievous and importable Tallages, Rents, and Tributes, contrary to the Laws and Customs of the Kingdom; by which means, what had been Charitably given to Pious Use, and for the increase of Devotion Worshipping, was turned into a Wicked Tribute, not pleasing to God, (in veniam Reprobum est conversum) wherefore by the Advice of the Earls, Barons, Great Men, Chief Men, and other Noblemen, and the Communities of his Kingdom, in his Parliament at Westminster, in the 33d year of his Reign, he Ordained and Determined, That no Abbat, Prior, Master or Guardian, or any other Religious Person of what State, Condition, or Order soever he was, under his Power and Dominion, should pay any Rent, Tallage, Tribute, or Impositions, charged upon them by their Superiors the Abbats, Priors, Masters, Wardens, of Religious Houses or Places, or agreed between themselves; Nor that they should go beyond Sea to visit such Monasteries, or under any pretence whatsoever, do as the Goods or Revenue of their Monasteries, might any way by Exchange or Merchandize be conveyed out of the Kingdom, upon pain of grievous Punishment to such as should do contrary to this Statute in contempt of the King's Prohibition.

Further the King inhibited all and singular Foreign Abbats, Priors, Masters, and Wardens of Religious Houses, under whole Subjection and Obedience, the Houses of the same Order were in his Dominions, that they should not impose any Payments, or Burthens upon them, under forfeiture of all they had in his Dominions, or could forfeit for the future.

A. D. 1266.
34 Ed. I.

[1] Choul.
34 Ed. I. M. 2.
Dof.

A Parliament for the settling of Scotland, and Business concerning the State of the Kingdom.

[2] Stat. of Carl. Riley's Placita Parl. f. 312. Col. 2. Institut. f. 580. The chief Business of the Kingdom was to prevent the Tallage and Tribute imposed upon English Monasteries by Foreign Abbats.

Ordained in that Parliament, That no English Abbats, Priors, Masters, Wardens, or other Religious Persons should pay Taxes or Tallages to Foreign Houses or Abbats.

The King's Inhibition to Foreign Abbats, &c. to Exact such Contributions.

Yet

[3] *Riley's Placita Parl. f. 314.* The King intended not by this Institution to extinguish the Visitation of those Monasteries, &c.

[4] *Ibm.*

The King Ordains and Determines in making a Law.

[5] *Ibm.*

35 Ed. I.

[6] *Append. n. 39.* Petitions of the Nobility against the Exactions of the Pope.

And his Clerk William de Testa.

The Articles of the Petitions.

Yet by these Statutes and Ordinances it was not the King's [3] intention, to exclude the Abbats, Priors, and other Foreign Religioſe, from the Office of Viſiting only in thoſe things which belonged to Regular Obſervance, and the Diſcipline of their Order, provided that ſuch Viſitors took nothing from the Monasteries, Priors, or Houſes they Viſited, or carried any thing out of the Kingdom, but their moderate, and reaſonable Expences.

Theſe Ordinances and Statutes, [4] tho they were made in the 33d of Edw. I. as aboveſaid, yet the Publication of them was ſuſpended until this Parliament at Carliſle, that they might proceed with more Mature Deliberation, after which, and a full Debate with the Earls, Barons, (& alius Nobilibus, & Communitatibus Regni ſui) and other Nobles, and the Communities of his Kingdom by their Unanimous Conſent (*Ordinavit & Statuit*) he Ordained and Determined, this Statute ſhould take place from the Firſt day of May next coming; And ſent it to all the Sheriffs in England, to be publiſhed [5] as a Law made for the common Benefit of the People, and Melioration of the State of the whole Kingdom, *Ad Communiem populi utilitatem, & totius Domini nostri meliorationem.* Witneſs the King at Carliſle the 20th of March, in the 35th of his Reign.

The other great Buſineſs was the Conſideration of the [6] Petitions exhibited by the Earls, Barons, Great Men, and Community of the whole Kingdom of England, for the State of the Crown, of the Lands of Scotland, Wales, and Ireland, and the whole Community aforeſaid, concerning divers new intolerable Grievances, Oppreſſions, Injuries, and Extortions, done to, and brought upon the Earls, Barons, Great Men, and Community, by the Authority, and Command of the Pope, and by Mr. William Teſta, his Clerk or Nuncio, or by his Commiſſaries, Miniſters, or Vicegerents in his Name.

The Articles or Heads [7] of the Petitions were; Firſt, 'The Extravaſant Number of Proviſions of the beſt Spiritual Preferments given to Italians, other Forreigners, and Non-Residents, to the great prejudice and diſinheritance of the Founders, Benefactors, and their Succeſſors, and to ſuch as had the Right of Advowſon, and the Gifts of ſuch Preferments.

Secondly, 'The Rents and Revenues of Religious Houſes, which the Pope intended to apply to the uſe of divers Cardinals.

Thirdly, 'Concerning Firſt Fruits of vacant Benefices referred to the Pope, a thing never heard of before, concerning the Collection whereof, he had lately put forth hard Interpretations, much prejudicial to the King, Kingdom, and whole Engliſh Church.

Fourthly, 'About the Peter-Pence, that they were not taken according to the firſt Grant, but exacted to Treble the value.

Fifthly,

Fifthly, 'Concerning Legacies given to Pious Uſes, they were wickedly demanded and exacted by Authority of the Apoſtolick See, and converted to other Uſes than the Teſtator or Donor intended.

Sixthly, 'Concerning Debts the Creditors went to the Pope's Clerk, and offered them half the Debt, more or leſs, to get the reſt, who preſently cauſed the Debtors to be ſummoned and Diſtreined to answer before them, in open Diſinheritance of the King and his Crown.

Seventhly, 'Concerning indiſtinct Legacies, (ſuch as were given in general, and not in particular Words) approved by the Canon and Civil Law, the Pope's Clerks impiously appropriated to themſelves, (*Clerici Domini Papae impie ſibi appropriare nituntur, &c.*) and to convert them to Uſes contrary to the Deſign of the Dead.

There are Two Copies of theſe Petitions, one in [7] French, the moſt full and large; The other in [8] Latin, which concludes thus, *That all theſe things tended to draw the Money out of the Kingdom, the manifeſt Stripping of the Church, the Enriching of Strangers, and Impoveriſhing the Natives, unleſs [9] God would ariſe and diſſipate his Enemies, ſo as by the Secular Prince, and his Council, with the Conſent of the Noble, and Great Men, ſo great Wickedneſs might be repreſſed.*

Upon which Articles of Oppreſſions, Grievances, Extortions, and Injuries, William Teſta was [1] called into full Parliament, and Conviſted, nor could he any ways Excuse himſelf, but by ſaying he did theſe things by Authority of the Pope. And becauſe theſe Practices, if ſuffered, manifeſtly tended to the diminution of Divine Worſhip, the Robbing of the Engliſh Church, the prejudice, hurt, and Diſheriſon of the Crown, Power, Jurisdiction, and Dignity Royal of England, the deſtruction of the whole Community, and perpetual Subverſion of the State of the Kingdom, the Laws and Cuſtoms of the ſame; from whence greater Dangers in proceſs of time might enſue.

At length having conſidered theſe Miſchiefs, by Aſſent of the King and whole Council of Parliament, [2] it was Provided, Agreed, Ordained, and Judged, That the Premieſd Grievances, Oppreſſions, Injuries, and Extortions, ought not to be permitted in the Kingdom and Lands aforeſaid. And Maſter William was in the ſame Parliament forbidden to do any thing contrary to this Proviſion, Agreement, and Judgment, by himſelf or any other whatſoever. And he was injoined to revoke and make void whatever had been done by him, his Commiſſaries, Miniſters, Vicegerents, Adherents, and Aſſiſtants, and ſafely to keep within the Kingdom the Money Levied upon this Account, until the King by Advice of the Council aforeſaid, ſhould otherwiſe direct.

M

And

[7] *Riley's Placita Parl. f. 376.*
[8] *Ib. f. 379.* The Miſchiefs of Money ſent out of the Kingdom.
[9] *Append. n. 40.*

William Teſta, the Pope's Agent.
[9] *Ibm.*

Conviſted in Parliament of great Crimes againſt the Crown and Church.

[1] *Ibm.* Oppreſſions, Grievances, and Extortion from and by the Pope prohibited. And William Teſta ordered to revoke what he had done.

[3] Ibm. The Clergy and Laity write to the Pope, complaining of his Oppressions and Extortions.

[4] Riley at *supra*. f. 355. 13. of the Letter. [5] Ibm.

[6] Ibm. f. 382. 383.

William Testa's Officers Questioned.

35 Ed. 1.

[7] Ibm. f. 382. The Prince of Wales ordered to do Justice.

[8] After the Recess of the Parliament, the King gives William Testa, &c. Protection to go thro' the [9] Ibm. f. 383. & Pat. 35 Ed. 1. M. 10. *intus*. Kingdom, to Dispatch the Pope's Business.

[1] Append. N. 41.

And gave him Liberty to take the first Fruits of Vacant Benefices to the use of the Pope.

And for the greater [3] Evidence of the Matter, it was ordained and agreed by the King and Council aforesaid, That Experienced Messengers should be sent to the Pope from the King, and whole Community, to Notify and Expound to him these Grievances, Oppressions, Extortions, and Injuries: And a Letter was drawn up accordingly on the Name and Behalf of the Clergy and Laity, full of Sharpness and Reflection upon the Pope, his Ministers, and Nuncios's; [4] Nos Clerus & Populus dicti Regni, &c. with this [5] Title in the Margin, *Litera a Regno Angliæ ad Papam*, the Letter from the Kingdom of England to the Pope.

At the same time Writs were ordered to be directed [6] to all the Sheriffs of England, to Enquire by the Oaths of Lawful Men of the County, after the Names of the Ministers and Commissaries of William Testa, who had committed these Grievances, Extortions, &c. And the Names of such as had caused any one to be cited before himself, or Commissaries, &c. And to attack them by their Bodies, so as they might appear before the King, eight Days after Holy Trinity where ever he was in England, to answer to him or any others that would complain, and to do and receive what the King's Court, (the Court of Kings-Bench now, which then was always with the King) should adjudge and ordain. Witness the King at Carlisle, March 22d. in the 35th of his Reign.

The Prince of [7] Wales, Guardian of Scotland, and Justice of Ireland, had also command to see this Provision, Agreement, Ordinance, and Judgment, inviolably observed in those Lands or Countreys.

But after the [8] Recess of the Parliament, the King at the Request of the Bishop of Sabin and Cardinal, (who came from the Pope into England, for the Consummation of the Peace with France, and the Marriage of the Prince of Wales, with that King's Daughter) and was then at Carlisle, commanded the Chancellor not to Seal their Writs to the Sheriffs, &c. [9] And for the Reverence he had to the Apostolic See, and Affection he bore to Pope Clement, gave William Testa and Peter Amalmen, the Pope's Clerks and Nuncios's, their Commissaries and Ministers, a Protection to go through the whole Kingdom for the Dispatch of the Business of the Church of Rome. Witness the King at Carlisle, April the 4th, in the 35th of his Reign.

He also [1] granted to them in as much as he might or could, (*Quantum in nobis est*) to Collect or Keep to the Use of the Pope, the Fruits of the first Year, of all Vacant Ecclesiastic Benefices with Cure and without Cure, in the Kingdom for three years, reserved by the Pope to himself, (*Non obstantibus quibuscunque prohibitionibus in Parlamento nostro inde factis*) Notwithstanding the Prohibitions made in Parliament, so as they meddle not with the Revenues of Abbies, or Priories, nor carried the Money out of the Kingdom, but by way of Exchange. Dated the same Day at Carlisle.

And

And further he gave them a [2] Dispensation to use their Offices, as Pope's Clerks and Nuncios, as the Clerks and Nuncios of former Popes had done in former times, notwithstanding any former Prohibition by him made; Provided they did nothing against his Crown or Dignity, or any of his Subjects, any manner of way. Dated the same Day and at the same Place.

Lastly, He gave [3] them leave by way of Exchange, and by assistance of Merchants, to send all the Money Collected, which reasonably belonged to the Church of Rome, or to the Pope, so as they Transported not any Coined Money, or Silver in the Mass, by themselves, or others. Dated at the same Place and Time.

Under pretence [4] of these Letters, Grants, and Dispensations, the Pope's Clerks aforesaid, (*pretextu quarum literarum, prefati Clerici, Domini Papæ, &c.*) not having respect to the Prohibitions in Parliament, returned to their former Practices; and being opposed in their Proceedings, by many of the Kingdom, by reason of those Prohibitions, they Petitioned the King's Council holden at Westminster, in the Feast of Holy Trinity next following, and Exhibited their Letters, &c. And because it was found, That by them the King had revoked nothing of the Ordinance made in Parliament (*Et quia compertum fuit per eandem quod Dominus Rex nihil Revocavit de predicta Ordinatione in Parlamento facta*.) nor Granted any thing to the same Clerks, by the said Letters, but that they might have and receive the first Fruits of vacant Benefices, as far as he could Grant them, (*Quantum in Rege fuit*) and hereupon forbade them to do or attempt any thing that might turn to the prejudice of his Crown and Royal Dignity, or any other of his Subjects: And it being found also, That every of the Grievances aforesaid were in prejudice of the King, and his Subjects. By Command of the King being then at Carlisle, it was agreed in the same Council, That the Clerks should not do them, nor have the first Fruits of Benefices of the Patronage of the King, because it would turn to the prejudice of him, his Crown, and others. The Clerks understanding this Agreement, would not any further prosecute their Petitions, or appear to receive their Answer: And therefore there was a further Prohibition made, That whereas there had not been a full Deliberation had upon their Petitions, they should not attempt any thing any way prejudicial to Him, his Crown, and Dignity, the Noblemen, and People of his Realm. Witness the King at Carlisle, the 27th day of June, in his 35th year.

This Prohibition was served [5] upon them by the Mayor, Aldermen, and Sheriffs of London; and afterwards, if the said Clerks had presumed to have been Relieved against this Prohibition, before they could attempt it, the King died, so as nothing further was done in this Matter.

In the time of this [6] Parliament at Carlisle, either the King himself, or the Lords took notice of the great Familiarity there was between the Prince, and Piers de Gaveston, and what Influence he had upon, and Power over the Prince; but whether upon the

[3] Pat. 35 E. 1. M. 19. *intus* & Riley at *supra*. f. 382. With a Dispensation to use their Offices, &c.

[3] Ibm. in *Utrique*, loc. And Transport their Money by way of Exchange.

[4] Append. N. 42.

By reason of these Indulgences, the Pope's Clerks return to their former Practices.

Their Petition on the King, and Council for allowance of them.

Their Petition was rejected, and they commanded to desist from any such Practices.

And for doing any thing against the King, his Crown, and Dignity, &c.

[5] Riley at *supra*. f. 385.

[6] Append. N. 43.

Pierre de Gournay
the Banished
English.

*Easter-Day
was this Year
1307, on the
26 of March,
so that the day
of his Depart-
ure was the
First of May.

[7] Hist. West.
c. 458.
Robert Brus put
to flight the
Earl of Pembroke
and Gloucester.

[8] Ibid.
Robert Brus
flies into the
Woods and
Mountains.

The Prince
sent into Eng-
land.

[9] Ibid.

The King
Dies.

King's own Observation, or their pressing him to it, (I find not) nor for what particular Reasons; on the 26th of February at Laver-
cost by the King's Order and Command (not on his Death-Bed as
commonly storied) he was Banished England, and to be ready
to quit it at Dover, three Weeks after the Turnament or Joust,
which should be fifteen days after *Easter next coming, and not
to return without the King's Leave, and Calling him back; and
for the Performance of this Order, Monsieur Piers at the Day and
Place aforesaid, made Oath upon the Body of God, (i.e. The Con-
secrated Host) the Old Cross, and the King's other Reliques, and
the Prince of Wales made Oath in like manner, That he would
not Receive, Retain, or Permit the said Piers to be with him con-
trary to this Order, unless he was Recalled by, and had leave
from his Father to return; and for his Subsistence beyond Sea, so
long as he staid there, Monsieur Piers had allowed him an hun-
dred Marks Sterling by the Year.

After Easter this Year, in the Heat of the Controversie and Quar-
rel between the King, Nobility, and Pope's Nuncios, as before re-
lated, [7] Robert Brus having increased his Army, engaged Agner
de Valence Earl of Pembroke, and put him to flight, killing few
of his Men; Three Days after he also put to flight the Earl of
Glocester, with the Slaughter of many on both sides, and after-
wards besieged him in the Castle of Ayr, until by the King's Army
the Siege was Raised, when with his Men he fled into the Woods
and Mountains; [8] yet King Edward sent into England, and un-
der great Penalty Commanded all that caught him Service to be
ready at Carlisle, three Weeks after the Feast of St. John Baptist,
and there sent his Son into England also, to prosecute his Match
with the King of France his Daughter, by the assistance of the
Spanish Cardinal, Bishop of Sabin. [9] After the Departure of his
Son; the King fell ill of a Dysenterie or Bloody-Flux, yet by small
Journeys he moved toward Scotland from Carlisle, and at Bergh
upon Sands his Disease increasing, he Died the 7th of July, A.D.
1307.

Church-

Church-Affairs.

NOT long before the Death of Henry III. the Monks of
Canterbury by his Licence [1] had chosen William de Chal-
lenden their Sub-Prior, for their Archbishop; the Pope
persuaded him, as a Person not fit for that Place, to
waive the Election, and make way for Robert Kilwardby a Friar-
Minor, (who for Eleven years had been the Collector of the Pope's
Moneys, or Revenues in England) to be Archbishop by his Pro-
vision, without the King's Licence, the Monks Election, and his
Approbation afterwards, contrary to the King's Prerogative, the
ancient Right of his Crown, the Laws of the Realm, and Liberties
of the Church.

But to prevent, if it might be, for the Future the like Practices
of the Pope, within less than a Month after the Death of Henry
the Third, King Edward being in the Holy-Land, the Guardians
of the Kingdom, and Council in his Name, by their Proctors made
publick [2] Protestation for the Vindication of the Prerogative and
Rights of his Crown against these Provisions, before they Granted
the Temporalties; [3] shewing, That Cathedral Churches when void,
ought of Right and Custom, and were wont to be filled, by the
Canonical Election of the Chapter, the King's Leave having been first
asked and obtained. And that after the Election, the Elect ought
to be presented to the King, That he might object against him if
he had any thing reasonable to propound against him; and that
it seemed to the King and his Council, a great Prejudice to him,
and the Church of Canterbury, whose Patron and Defender he was,
especially if this should be made an Example in other Churches,
That the Pope omitted these Usages, where there could not be
found any Fault either in the Matter or Form of the Election,
nor so expressed in his Letters of Provision, yet should assume a
Power of Supplying Vacancies with Bishops; Whence left for
the future the Roman Church should proceed to do the like, or if
it should do it, That the King might not receive Prejudice, or be
bound to restore the Temporalties of the Churches, the King of
his especial Grace granted them to this Man; and then Trevisa
betwixt his Procurator and Cleric made Protestation in his Name
and stead, That this Grant of the Temporalties, should not be drawn
into Example for the future. This Protestation was made, and
Read at Westminster in St. Stephen's Chapel, on the Vigil of St. Lucy
the Virgin, (i.e. December 12th,) in the presence of Robert
Kilwardby the Elect, (by the Monks afterwards in com-
pliance with the Pope, or under a Pretence to preserve their own
Right) and of the Bishop of Excester, Walter de Marston Chancellor of
England, John de Chisild Dean of St. Pauls, R. Bernard Arch-Dea-
con of York, and many others. A.D. 1272.

And on the same Day the [4] Temporalties, having had suffi-
cient Testimony of his affection to the King, and taken the Oath of
Fidelity

[1] Aniquit.
Brit. E. 189. n.
10, 20. Gal.
de prefat. Angl.
p. 137.
A. D. 1272.

[2] Append.
N. 44.

[3] Ibid.

[4] Par. 1. c. d.
1. M. 20. intur.

Fealty to him, for that Time out of his especial Grace were Granted by his Lieutenant, or Guardians of the Kingdom.

[5] *Antiqu. Brit.* f. 192.
n. 20, 30.
A. D. 1279.

After six years, [5] this Archbishop was made Bishop of Porto in Italy, and Cardinal, and then Abducted his Archbishopric, upon whose Cession pretending it was his Right so to do, notwithstanding the Monks had Elected the Bishop of Bath and Wells, then Chancellor of England, and the former Protestation; The Pope made John Peckham another Preaching Friar-Minor Archbishop, and Consecrated him at Rome; He was born in Suffex of Obscure Parents, and had his first Institution in the Monastery of Lewis.

[6] *Complait Hist. of Engl.* f. 668.
[7] *Spelm. Concil. Vol. 2.* f. 305.
[8] *Ibm.* f. 320. & 323.

The Archbishops, Bishops, and Clergy, endeavouring to put in practice the Canons of Boniface made at [6] *Berton* 42 Hen. 3. A. D. 1258. and the Provincial Constitutions of the same Boniface at [7] *Lambeth* 45 of Hen. 3. A. D. 1261. This Archbishop, in the 7th of this King, on the Third of the Calends of August, or 30th of July, A. D. 1279. [8] called a Council of his Suffragans at Reading, in which several Sentences of Excommunication were enjoined to be Published, [9] which so Troubled the King, that he convened the Archbishop in his Parliament at St. Michael next following, wherein he made an open Revocation of such as pleased him not, and were against the Rights of his Crown.

[9] *Append. N.* 45.

* *Spelm. Vol. 2.* f. 327.

In the 8th of King Edward, this Archbishop and his Suffragans intending to hold a * Council at London, the King fearing by their late Canons and Proceedings at Reading, they might presume to Constitute something therein against his Crown and Dignity, [1] appointed Roger le Estrange, and Hugh Fitz-Otto Steward of his Household, his Commissioners, to go to them, and appeal against such Proceedings.

[1] *Append. N.* 46.

[2] *Spelm. U. supra.* f. 328

Next Year he called a [2] Council at Lambeth, but the King suspecting the Loyalty of the Archbishop and Bishops, directed his [3] Writ to them, Commanding them upon their Oaths of Fealty they had all taken to be Faithful to him, and Defend his Rights, and the Rights of his Kingdom, as much as they could, and enjoined them by Virtue of their Oath, and under pain of losing the Temporals they held of him, that they should in that Council do nothing against him, his Kingdom, and the Rights or Laws, which his Predecessors and he had used by ancient and approved Custom, nor to do, assent to, or attempt any thing against them.

[3] *Append. N.* 47.

[4] See *Church Affairs in time of Hen. 3. & Spelm. Concil. Tom. 2. f. 329.*

Notwithstanding this Inhibition, the Review the Council of [4] Lambeth, holden under Boniface the then Archbishop, to see how far it was suspended by the King's Appeal to the Pope about it; and notwithstanding his Revocation (of some of the Canons and Sentences of Excommunication made at Lambeth, and renewed at Reading) about two years before in open Parliament, he renewed them again in this Council, as [5] That, against such as procured or obtained Prohibitions, against Proceedings in Spiritual Courts; That, against the Infringers and Opposers of Ecclesiastic Liberty; That, against such as took any thing out of or from the Houses, Mannors, or Lands of Ecclesiastic Persons against their Wills; That,

[5] *Ibm.* f. 334.
& *Linnard Constitutions Provinciales in fine.* f. 30.

That, against such as took or removed any Persons, or Goods out of Sanctuary, and hindered any Victuals to be brought to such Persons; and Lastly, against such as Denied to execute the King's Writs for taking the Excommunicates, or hindered the taking of them, or unjustly procured their Liberty.

This Council ended [6] on the Sixth of the Ides, or 10th of October, and he wrote the King a Letter about [7] Church-Liberty not long after, wherein he tells him, That for a long time and very anciently, there had been great Dissention between the King and Great Men of England, and the Archbishops, Bishops, and Clergy of the same, concerning the Oppression of the Church against the Decrees of Popes, the Constitutions of Councils, and Sanctions of Orthodox Fathers, in which the Highest authority, the greatest Truths, and Sanctity did consist; and therefore beseeched the King there might be an End put to those Dissentions, which could not otherwise be, then by his being inclined to close with those three things, from which the Canons were Collected, and to submit his Crown to the Crown of Christ, for that the Ecclesiastic or Church-Liberties were the Jewels of his Spouse; He tells him further, That by the Express Precept of the Law, he was bound to obey the Pope. That the Determination of every Controversie that could not be Determined by inferior Judges belonged to him; That Catholic Emperors submitted all their Laws to the Holy Canons, and therefore he ought to submit his Laws, and abolish all such as were contrary to them. Lastly he told him, no Oath could bind to the Keeping or Performance of such things as were Repugnant to Ecclesiastic Liberty; and if he had taken any that might any way excite his Conscience against the Church, he would absolve him from it; and concludes, That he firmly believed he could not provide for the safety of his Soul, or the stability of his Kingdom, unless he closed with what he Propounded. The Epistle is Dated at Lambeth, the 4th of the Nones, or Second of November, 1281. in the 9th of Edw. 1.

[6] *Spelm. Concil. Tom. 2.* f. 341.
[7] *Ibm.*

But this Epistle prevailed not upon the King, nor ended the Controversies about the Regalia, or Royal Rights of the Crown, and Liberties of the People, between the Secular and Ecclesiastic Powers, whatever the Pretences of the Archbishops, Bishops, and Clergy, were for the Advancement of Holiness, and Religion; the Design was Dominion, whether the King or They should have most Power. For from the first to the last Year of his Reign, they endeavoured to Inroach and Usurp upon the Temporal Jurisdiction, notwithstanding all Prohibitions, Attachments, Informations, and Suits against them, the Records of which would swell into a Volume, if they were all Collected from those in the Tower only of this King's Reign; and always when the King's Necessities urged him, or that he was Fatigued with, or Disappointed in his Wars, they took the Advantage of promoting Ecclesiastic Liberty, (which was any thing they called so) against the Rights, Royalties, and Prerogative of the Crown, (and never wanted Ambitious, Designing, Discontented, and Poor Noble, and other Military Men, or Gentlemen, who had made themselves so, by their own Luxury and Debauchery, and pretended to what was then

E

F

then called *Sanctity*, and seemed to be more *Holy* and *Religious* than others) to join with, and assist them, in hopes to make themselves Great, and repair their Broken Fortunes, or succeed in the Places of others, and become *Governours* and *Regulators* of the *Nation*, and *Ministers* of *State* under the *Church-Power*.

Taxes in this KING's Reign.

Pat. 4. Ed. I.
M. 6. A. D.
1276.

IN the 4th of his Reign the King in Parlement had a Fifteenth Granted him by the Earls, Barons, Great Men, and Community of the Kingdom, and by the Arch-Bishop of *Canterbury* and his Suffragan, a Subsidy of their Goods (not said how much) as a Free Gift only, not to be urged or drawn into Example.

Wall. Hist. Angl.
f. 48. n. 20.

In the 5th of his Reign the Laity Gave him the 12th Part of their Goods toward the War in *Wales*.

Ib. f. 51. n. 40.
Communia de
Term. Trin. 12
E. I. Rot. 6.
Dorf. pene Remem-
brancer. The
Jauril.
Inter Commu-
nia d. Trinito
N. Mich. Rot. or.
n. 5.

In the 11th of his Reign again, toward the War against the *Welsh*, the Laity Gave him a 30th Part, and the Clergy a 20th Part of their Goods. *Conceditur a Populo in Subsidium Werra sue Tricesima, & à Clero Vicefima pars Bonorum suorum.*

In the 18th of his Reign, he had a 15th of all their moveable Goods Granted by the Arch-Bishops, Bishops, Abbats, Priors, Earls, Barons, and all others of the Kingdom, or Government, as appears by the Chequer-Roll in the 19th of *Edward I.* with the King's Remembrancer.

Inter Recorda
de Trin. Term.
22 Ed. 1. Rot.
v. l. n. 68.
with the
King's Re-
membrancer.

In the 22d of his Reign, the Prelates and Clergy Granted the Mediety or half of their Benefices and Goods, to be taken a 3d Part at the Fast of *All-Saints* next coming, a second 3d Part 15 Days after *Easter*, and the third 3d Part 15 Days after *St. John Baptist* then next coming.

Class. 22 Ed. I.
M. 6. Dorf. de
m. l. ribet Eli-
gendis, & Mir-
fendis ad Conci-
lium.

In the same Year, at a Parlement or Council holden on the 12th of *November*, or (*Craftino S. Martini*) at *Westminster*, when Four Knights were summoned from every County, to consult and content to such things as the Earls, Barons, and Great Men should Ordain, for themselves and whole Communities of the Counties. Upon the same day they met, viz. *Novemb. 12.* they gave the King a 10th Part of all their moveable Goods, &c. as appears by the Writ or Commission for Appointing Assessors, Taxors, and Collectors for the same Tenth; *Teste Rege apud Westmonast. 12 die Novemb. Anno Regni sui 22.*

Hat. 22 Ed. I.
M. 2. in Co-
dula.

And in the same Month, after the 16th Day thereof, the Guardian, Sheriffs, Aldermen, and whole Community of the City of *London*, Granted a 6th Part of their moveable Goods, as a Subsidy toward his War. The Writ or Commission by which the

Taxors

Inter Record.
de An. 23 Ed. I.
n. v. l. Rot. 73.
de f. x. p. p. p.
Regi Conc. f.
in Lnd. with
the King's
Remembran-
cer.

Taxors and Collectors were appointed, bears Date *Novemb. 26. 23 Ed. I.*

In the same Month, and about the same time of it, there were Commissioners appointed to ask, require, and effectually induce in Person the Men of all his Demefne Cities and Towns in all the Counties of *England*, by all ways they should see expedient, to grant a 6th Part, as *London* had done, that it might shew Example to others of his Demefn Towns.

A

A Parlement summoned to meet the *Sunday* after *St. Martin*, or 11th of *November*; the Writ bears Date *Tertio die Octobris*. It met not then, but was Prorogued before meeting to the *Sunday* before *St. Andrew*, or 30th of *November*, by Writ dated *Novemb. 2.* at *Odmer*. The Clergy in this Parlement Gave the King a Tenth; the Earls, Barons, Knights, & alii de Regno nostro, others of Our Kingdom, or Government, Gave an Eleventh, and the Citizens and Burgeses, and other Good Men of his Demefns, Gave him a Seventh of their moveable Goods: And the Warrant for the appointment of the Taxors and Collectors, bears date *Decemb. 4.*

B

In the 24th, the Earls, Barons, Knights, et alii de Regno, gave a 12th Part; the Citizens, Burgeses, and Tenants of his Demefns gave an 8th Part.

C

The Clergy gave nothing, by reason of an Inhibition the Arch-Bishop had obtained from Pope *Boniface*, which Inhibition, or Bull, he caused to be published at this time in all the Cathedrals. See more of this matter in the History.

D

In his 25th Year, he had an Eighth of all the Laity, and a Tenth of the Clergy, for the Confirmation of the Great Charter, and the Charter of the Forest. *Walsingham* in his History says, the Laity gave a Ninth, (which agrees not with the Close Roll, which says an Eighth) the Clergy of the Province of *Canterbury* gave a Tenth, and the Clergy of the Province of *York* a Fifth.

E

In the 29th of his Reign, upon his Confirmation of the Perambulations of the Forests, the Laity gave them a Fifteenth of their Moveables, in the Parlement held at *Lincoln*, which they should have at *Michaelmas* next coming. *Robert* Arch-Bishop of *Canterbury* would grant nothing for the Clergy, without the special Licence of the Pope.

F

In the 32d of his Reign, being then in *Scotland*, as appears by the Dates of the Commissions at *Dunfermlyn* and *Striveclin*, to several Commissioners to Tax or Talliate, or assess Tallage in Cities, Burghs, and his Demefns in Cities and Burghs, either Capitation by Poll, or in Common, according to their Faculties and Wealth, as it might turn most to his Advantage. And in the 33d Year, the Arch-Bishops, Bishops, Prelates, Earls, Barons, and other Tenants of his Demefns, petitioned in the Par-
N
lement

Ib. in the
same Year and
Roll.

Class. 23 Ed. I.
M. 4. Dorf. de
Parliamenta-
tenda.
Ib. M. 2. Dorf.
de Parlamento
prorogando.
Pat. 24 Ed. I.
p. 1. M. 22 de
undecimo &
f. prima Regi
Conc. Levand.
& Colligend.

Inter Communia
de term. S. Mic.
An. 25 Ed. I.
Rot. v. l. n. 5.
pene Remem-
brans in Seac-
caria.
Mar. West. f.
428. n. 20. 30.
This Parle-
ment
was held at
Cro. animarum
24 Ed. I.
St. Edmundi-
Bury.
Class. 25 Ed. I.
M. 6. Dorf.
f. 74. n. 10.

Rot. Peramb.
Forest. 29 Ed. I.
in Turri.

Pat. 32 Ed. I.
in Cudala.

Ryley's Placita
Parliament. f.
246. 264. 265.

lement holden on *Sunday* next after the Feast of St. *Matthew* the Apostle, at *Westminster*, that they might have leave to Talliate their Tenants of the same Demeasns, as he Talliated them, and it was granted.

Ibm. f. 260.

About this time he had a Fifteenth granted to him.

Inter Communia
Brevis de
Term. S. Trin.
Ann. R. R. Ed. I.
34. Rot. vel n.
40. penes Re-
mem. Regis
in Scaccar.

In the 34th Year, the King intending to Knight his Son, summoned the Arch-Bishops, Bishops, Abbats, Priors, Earls, Barons, and other Great Men to be before him and his Council on the morrow of *Holy Trinity*, to Treat of, and Grant an Aid upon that Occasion. He also sent to all the Sheriffs of *England*, to cause to come before him and his Council Two Knights of every County, and of every City Two Citizens, and of every Burgh One or Two Burgeses, as the Burgh was greater or lesser, &c. These same Prelates, Earls, Barons, and other Great Men, and also the Knights of Shires, Treating deliberately upon this Matter, and considering there was an Aid due as aforesaid, and that many Burthens were incumbent upon the King, by reason of his War in *Scotland*, unanimously Granted to the King for themselves and whole Community of the Kingdom, a 30th Part of all their Temporal moveable Goods, &c. for a competent Aid toward the Knighthood of his Son, and also for an Aid toward his Expences which he was to be at in the War.

Ibm.

Also the Citizens and Burgeses of Cities and Burghs, and others of the King's Demeasns assembling together, and treating about the Premises, considering the Burthens incumbent upon the King, &c. unanimously Granted unto him, for the Causes aforesaid, a 20th Part of their moveable Goods, &c.

Ibm.

The Issue of Edward I.

BY his First Wife [1] *Elleanor*, Sister to *Alphonso* King of *Castile*, and Daughter of *Ferdinand* III. and only Child by *Joan* his Second Wife, Daughter [2] and Heir of *John* Earl of *Pontive*, or *Ponthien*, he had *John* his Eldest Son, who died young.

By her also he had [3] *Henry* and *Alphonso*, who both died young, and before their Father.

His Fourth Son by her was *Edward* born at *Caernarvon* in *Wales* (called therefore *Edward* of *Caernarvon*) on St. Mark's Day, April 25. in the 12th Year of his Reign, A. D. 1234. who succeeded him by the Name of *Edward* II.

By this Queen [5] he had Nine Daughters; *Elleanor* married to the Earl of *Barr* in *France*; *Johan* of *Acres*, or *Acon*, in the *Holy Land*, so called because there born; first married to *Gilbert* of *Clare* Earl of *Glocester*, and afterwards to *Ralph* *Monthermer*, with-

[1] Sandford's
Geneal. Hist.
f. 130. & 138.
[2] Walf. f. 48.
n. 40. Mazer-
ray, f. 319.
A. D. 1279.
[3] Walf. Hy-
podigma Nu-
merie, f. 499 n.
20.
Sandf. ut supra,
f. 138.

[4] Walf. Hist.
52. n. 10.

[5] Sandf. ut
supra, f. 139,
140, 141, &c.
Walf. Hypod.
Numerie, f. 499.

without her Father's Consent: The Third *Margaret*, married to *John* Duke of *Brabant*; *Berenger* and *Alice*, the Fourth and Fifth, died in their Childhoods; the Sixth, *Mary* a Nun at *Amesbury*; the Seventh, *Elizabeth*, married to *John* Earl of *Holland*, *Zealand*, and Lord of *Friesland*, who died without Issue, and she was afterwards married to *Humphry* de *Bohun* Earl of *Hereford*: *Beatrix* and *Blanch**, the Eighth and Ninth, died in their Childhoods.

Issue by his Second Wife *Margaret*, Sister to the King of *France*, Daughter to *Philip* III. Surnamed the Hardy.

Thomas de *Brotherton* [6] born at a small Village of that Name in *Yorkshire* (from whence he was so called) on the 1st of *June*, A. D. 1300. he was created [7] Earl of *Norfolk* by his Half-Brother King *Edward* II. Decemb. 16. in the 6th Year of his Reign, and had then Granted unto him all the Castles, Mannors, and Lands in *England*, *Wales*, and *Ireland*, which *Roger* *Bigod* lately possessed, except those his Widow had in Dower; and in the 9th of the same King was [8] made Earl-Marshal of *England*.

Edmond [9] of *Woodstock*, born there on the 25th of *August*, A. D. 1301. and was created Earl of *Kent* in the 15th of *Edw.* II.

Elleanor his [1] Tenth, and only Daughter by this Queen, died in her Childhood.

* Sandf. ut
supra, f. 144.

[6] Sandf. ut
supra, f. 205.
[7] Dugd. Bar.
Part 2. f. 63.
from Chart. 6.
Ed. 21. n. 30,
31, 32.

[8] Ibm. from
Cart. 9. Ed. II.
n. 32.

[9] Ibm. f. 92.

[1] Sandf. ut
supra.

A

CONTINUATION

Of the Compleat

History of England, &c.

King EDWARD the Second.

After the Death of *Edward the First* on the 7th of *July*, 1307, his Son *Edward the Second* succeeded him, being about the Age of Twenty three years; and Seven Weeks after his accession to the Crown, he summoned a Parlemtent by his [1] *Writts dated August 26th, to meet at Northampton* on the Quinden of *St. Michael*, or 13th of *October*. [2] concerning the Burial of his Father, his own Marriage and Coronation, and other Arduous Business touching the State of the Kingdom; but what was done in this Parlemtent more [3] *Walsingham* tells us, That the Money which would scarcely pass amongst the People in his Father's Life-time, was made current after his decease, under the Pain of Losing Life and Member; and that the * Clergy, Citizens, and Burgeses gave their new King a Fifteenth part of their Goods; and the other Laicks a Twentieth. I find not what was further done here in *England* in the first Five months of his Reign, other than, That his great Favourite *Peirs de Gaveston* returned into *England*, his [4] *Exile* and the Obligation of his Oath not to come over, unless recalled by, or had Leave to come from *King Edward the First*, having been both determined by his Death. And also the Oath which *King Edward* made when Prince of Wales, at the same [6] time, That he would not Receive or Retain him without the Leave of his Father.

How long he had been in *England*, and how long Earl of *Cornwall*, before the 26th of *December*, in the first year of *King Edward's* Reign, I have not seen. On that day being at *Westminster*, he made him by the Name and Title of *Peter de Gaveston* Earl of *Cornwall*, his [7] *Guardian* and *Lieutenant* of the Kingdom, for the better Conservation of the Peace and Quiet thereof, while he should be beyond the Seas, or during his Pleasure. And on the 18th of *January* following, being then at *Dover*, [8] he gave him Power to grant Licences of choosing Pastors of Cathedral and Conventual Churches, to take their Fees when Elected and Confirmed, and restore the Temporalities, to give Prebends and vacant Benefices, which were of his Collation or Presentation, and dispose of Wardships and Marriages which might happen in his absence. On the 19th of *January* he [9] summoned a Parlemtent to meet at *Westminster* on the

[1] Cl. 1 Ed. II. M. 19. Dof. A. D. 1307.
[2] Ibid. A Parlemtent summoned.

[3] Fol. 96. n. 10. Not well known what it did.
* Cl. 1 Ed. II. M. 12. intus.

[4 & 5] App. n. 43. *Peirs de Gaveston* returned into *England*.

[6] Ibid.

He is made Earl of *Cornwall* and *Guardian* and *Lieutenant* of the Kingdom. [7] Append. n. 48.

[8] Ib. n. 49. The great Power given to him.

[9] Cl. 1 Ed. II. M. 11. Dof.

the first Sunday in *Lent*, being then at *Dover*, but of it there are no *Memoires* in the Tower, or other-where, that I have seen. Then the *King* passing over Sea on the 28th of the same month, was [1] Married to *Isabel*, Daughter of *Philip the Fair King of France*, at *Bologne*, with wonderful Pomp and Celebrity, there being at the Solemnity Four Kings and Three Queens, besides the Bride; and returning into *England*, they were both [2] Crowned at *Westminster* on the 24th of *February*, where the Earl of *Cornwall* excelled all the Company in rich Cloaths and Ornaments, and carried the Royal Crown [3] before the *King*, which much increased the Envy of the Nobility against him.

He was the [4] Son of a *Gasconian Knight*, who had done *Edward* the First great Service in the Wars of that Country, and in respect thereof he ordered him to be Educated with his Son the Prince; which made the great familiarity between them. Sir *Tho. de la Moor*, Servant to *Edward* the Second, gives him this Character; [5] That he had a fine Body, was of a quick and sharp Wit, curious in his Behaviour, and sufficiently Skilful in Military Affairs, which appeared (as he says) by his Management of, and keeping in due Subjection the *Scots*, when he commanded the *English* Forces in that Kingdom, for which he was envied by those who saw his happy Success.

By reason of the King's extravagant Favours toward, and in conferring Honours and Lands upon him, especially after he had Married his Niece *Margaret*, Sister to the Earl of *Glocester*, with his receiving him into so great Intimacy, and making him Chief Minister, (as may be supposed according to the Report of all our Historians) the Nobility were much moved, who pressed and advised the King he might avoid the Realm, which not being done so soon as was expected, the King declared [6] to all such as should see or hear his Letters Patents, That for no cause whatever he should be permitted to stay in *England*, longer than the Morrow of *St. John Baptist*, according as it had been advised by the Prelates, Earls, and Barons, and agreed to by himself. Given at *Westminster* the 18th day of *May*.

Accordingly he was sent into *Ireland*, and made the King's [7] Lieutenant there, to Direct and Act in all things in his Name, as if he had been himself there present. Witness the King at *Reding*, 16 die *Junii*.

But long he stayed not there, for in the Second year of the King he procured a *Tournement* to be proclaimed at [8] *Wallingford*, and called thither so many Military Men out of Foreign Parts, that he insulted over the *English* Nobility, who came to meet them, amongst whom the chief were *Thomas Earl of Lancaster*, *Pumphrey de Boun Earl of Hereford*, *Armer de Gloucestre Earl of Pembroke*, and *John Earl of Warren and Surry*, who being much displeased, and hardly bearing the Pride of *Gaveston*, and the Reproach they received, every day considered and contrived how they might destroy him, De die in diem quomodo Petrum perderent cogitabant.

The

[1] *Tho. de la Moor*, E. 593. n. 10.

[2] Cl. 1 Ed. II. M. 10. Dof.

[3] Ib. & de la Moor, n. supra, n. 20.

Who *Peirs Gaveston* was. [4] *Frier John Trokelow's* *Annals* of Ed. II. f. 192. col. 2. n. in *Biblioth. Cotton. Claudine*, D. 6. [5] *Uti supra*.

The Nobility much moved by the King's favour to him.

[6] *Pat. 1 Ed. II. M. 10.*

He is made the King's Lieutenant in *Ireland*.

[7] *Pat. 1 Ed. II. M. 3. in Cedula.*

An. D. 1308.

[8] *Walsingh. f. 96. n. 50. A. D. 1309.*

The Nobility contrive how to destroy him.

They press the King to give them a Commission to choose Ordainers to make Ordinances for the Government of his Household and Kingdom.

[9] Appendix. n. 50.
A. D. 1309.
3 Ed. II.
The Commission for that purpose.

The Prelates, Earls, and Barons, taking advantage of the King's continued Exorbitant Kindness to him, and heaping upon him so great Riches and Estates, to the disadvantage of the Crown, and lessening the Revenues thereof, and the great Power he had with him, and being thereby (as may probably be concluded) the great Obstacle to the Execution of their Designs formed against the King's Father, and himself, were impatient till they had removed him never to return again; and to do this, they daily pressed the King to give them Authority to choose such amongst them, that might have Power to make Ordinances for the Government of his Household and Kingdom, which at length they obtained, and had this Grant or Commission for the making of them.

THE [9] King to all those who shall see or hear these Letters, Greeting; Whereas to the Honour of God, and for the good of us and our Realm, we have of our free Will granted to the Prelates, Earls, and Barons of our Realm, that they may choose certain Persons of the Prelates, Earls, and Barons, and others whom they think fit to call to them, during the time of their Power, that is, to the Feast of St. Michael next coming, and from that Feast for a year next following, to Ordain and Establish the Estate of our Household, and of our Kingdom, according to Right and Reason. We Grant by these our Letters, to such as may be chosen by the Prelates, Earls, and Barons, whoever they shall be, full Power to Ordain the State of our Household, and of our Kingdom above said, in such manner as their Ordinances be made to the Honour of God, to the Honour and Profit of Holy Church, and to the Honour of us, and our Profit, and to the Profit of our People, according to Right and Reason, and the Oath which we made at our Coronation. And we Will, that those which are chosen, and all under our Dominion, and of our Ligeance, shall observe and keep the Ordinances to be made, in all Points, and that they may secure the Observation of them, they may Bind themselves, and Swear to one another, without being questioned by us or our Friends; and if peradventure it shall happen, that part of those which shall be chosen to make the said Ordinances, shall be hindered by Death, Sickness, or other reasonable Cause, which (God forbid) so as they cannot perfect the said Ordinances, then it shall be lawful for such as are present to Proceed by themselves, or call such other to their Assistance, as shall be most for the Honour of us, the Profit of us and our People. In Witness of these things, we have caused to be made these our Letters Patents. Given at Westminster the 16th day of March.

The very day following the Prelates, Earls, and Barons, or at least as many of them as might then be in London, [1] made an Instrument to the King, wherein after they had repeated this Grant and Commission, they grant and promise for them, their Successors and Heirs, That the Grant which their most Dear Lord their King, had made as above said, should not at any other time be drawn into Custom or Usage, nor turn to the prejudice of the King or his Heirs, or of them, their Successors or Heirs, nor to the damage of any one against Right and Reason; nor, That the Grant aforesaid may in other manner be intended or claimed,

but

[1] Appendix. n. 51.
An Instrument made by the Nobility to the King concerning the Commission above.

properly from his Courtesie and Free Will or Pleasure, and that the Power of the said Ordainers, as to making the Ordinances, should not indure longer than the Time limited. In Witness whereof, they put their Seals to these their Letters Patents. Given at London the 17th Day of March, in the Year of Grace 1309. and the Reign of their Lord the King the Third.

A They lost no time after they had their Commission; for within three days the Ordainers were chosen and sworn. They were these [2] under-written:

[2] Glau. D. 2. f. 295. a. in Biblioth. Cotton.

The Arch-Bishop of Canterbury.

Bishops of	Earls of	Barons.
London,	Gloucester,	Hugh de Ver.
Salisbury,	Lincoln,	William le Marshall.
Chichester,	Hereford,	Robert Fitz-Roger.
Norwich,	Pembroke,	Hugh Courtenay.
St. David's,	Richmond,	William Martin.
Landaffe,	Warwick,	John de Grey.
	Arundell.	

C The Oath was this, [3] as 'tis translated from the Old French:

[3] Ibid.

I will make such Ordinance as shall be to the Honour of God, the Honour and Profit of Holy Church, and to the Honour of our Lord the King, and to the Profit of him and of his People, according to Right and Reason, and according to the Oath which our Lord the King swore at his Coronation; And that I will not forbear for any Man Rich or Poor, nor for Love or Hatred, nor any other thing: But will make such Ordinance in Form above said. [4] And then after the Form of taking of it, 'tis noted in Latin, That,

The Ordainers Oath.

[4] Ibid.

Factum fuit, & Receptum prædictum Juramentum, &c. The said Oath was made and taken in the Form aforesaid, according to the King's Will and special Command, on Friday the 20th of March, in the Year of our Lord 1309. in the Third Year of the Reign of King Edward, the Son of King Edward, at Westminster, in the Great Painted Chamber of the said King.

[5] N. 52.

The Ordinances themselves are transcribed from the Parliament-Roll, and Printed in the Appendix, and were to this Effect, and according to this Sense and Tenour:

F For that the King was Deceived by Evil Counsel, and the Nations of Gascoigne, Ireland, and Scotland in danger to be lost, and the Realm of England to be ruined, by Oppressions, Prizes, Takings, and Destructions; therefore Robert Arch-Bishop of Canterbury, the Bishops, Earls, and Barons, Chosen according to the King's Commission, did Ordain, to the Honour of God and Holy Church, and the Honour of the King and his Realm, in manner following:

1. 'That

The Ordinances.

1. ' That Holy Church have all its Franchises, as it had before, and ought to have.

2. ' That the King's Peace be kept throughout the Realm, so as any Man may safely go, come, and stay any where, according to the Law and Usage of the Realm.

3. ' It is Ordained for the Payment of the King's Debts, the Bettering and more Honourable Maintenance of his Estate, That nothing of Lands, Rents, Franchise, Escheat, Ward, Marriage, Office, or Bailiwick, be given to any of the Ordainers during the time of their making Ordinances, nor to any other Person without the Advice and Assent of the Ordainers, or the greater Part, or Six of them at least, but that all things may be improved to the Honour and Profit of the King, and Advancement of his Estate.

4. ' That the Customs be Received by Persons of the Realm, and not by Strangers, that the Issues and Profits of them, and all other things, do come entirely into the Exchequer, and be delivered thence by the Treasurer and Chamberlains for to maintain his House or Court, and otherwise to his Profit, that the King may live of his own, without taking any other things than anciently due and accustomed.

5. ' That the Merchants, Aliens, and their Goods, be Arrested, while they have given Account of the Customs, and other Profits and Issues of the Realm, they received since the Death of King Edward, the Father of this present King, before the Treasurer and Barons of the Exchequer, and others to be joined with them by the Ordainers.

6. ' That the Great Charter be kept in all its Points; and that the Ordainers, and such as they shall call to their Assistance during their Power, shall declare all obscure and doubtful Points in it.

7. ' For that the Crown was so abased and dismembered by divers Gifts, it was Ordained, That all the Gifts Granted to the Damage of the King, and Distress of the Crown, after the Commission to them made, of Castles, Towns, Lands, Tenements, Offices, or Bailiwicks, Wards, Marriages, Escheats, and Releases whatsoever, as well in Gascoigne, Ireland, Wales, and Scotland, as in England, should be Repealed, and were declared Repealed, without any Regranting to those that had them, unless by common Consent in Parlement; or if any such Gifts or Releases were afterwards made, without Assent of his Barons in Parlement, until his Debts were paid, and his Estate advanced, they should be null, and the Procurer punished in Parlement by award of the Barons.

8. ' For that it had been at other times Ordained, That the Customs, Issues, and Profits of the Crown, should be received,

ved by the People of the Realm, and not by Strangers, and paid into the Exchequer, for the Maintenance of the King's Household, &c. and it had not been done as Ordained; therefore it was Ordained again it should be so.

9. ' And for that the King ought not to undertake to make War against any one, or go out of the Realm without the common Assent of his Barons, for many Dangers that might happen to him and his Realm, it was Ordained, That afterwards the King should not go out of his Kingdom, or make War against any, without the common Assent of his Barons; and if he should do otherwise, and cause his Service to be summoned, the Summons should be null and void: And if it should happen the King should make War against any, or go out of the Kingdom by Assent of his said Barons, and that it should be necessary to appoint a Guardian of the Realm, he ought to be appointed by common Assent of his Barons in Parlement.

10. ' That there be no Prises or Takings for the King, but such as are due of ancient Right, that none under colour of Purveyance take to the use of the King, or other, any Corn, Goods, or Merchandise of any one, against his Will, or with his Will, according to *Magna Charta*, without paying the true Value for it, under pain of being pursued by *Hue-and-cry*; and if taken, committed to the next Gaol, and undergoing the Common Law as a Thief and Robber.

11. ' That no new Customs or Malevolts levied since the Coronation of Edward I. or Inheritance of the old, be taken of Merchants, notwithstanding the Charter made by him to the Merchant Strangers against the Great Charter, the Franchises of the City of London, and without the Assent of the Barons, &c.

12. ' To the Honour of God and of Holy Church, it was Ordained against such as should maliciously procure Prohibitions and Attachments against the Ordinaries of Holy Church, in case of Correction of Sin, and other things purely Spiritual, which belonged not to the Lay Court, That the Justices should award Damages to the Ordinaries; and if the Plaintiffs had, not wherewith to pay them, they should be committed to Prison, so long as the Grievance maliciously procured should require, saving the Estate of the King and Crown and other Right.

13. ' That because the King had been Guided and Counseled by Evil Counsellors, therefore it was Ordained all Evil Counsellors should be removed from the King, that neither they nor any such should be near him, or hold any Office under him, and that other fit Persons should be put in their Places; and in like manner it should be done to his Menial Servants, and the Officers of his Household.

O

14. For

14. ' For that many Evils happened by such Counsellors and Ministers, it was Ordained, That the King should make the Chancellor, Chief Justice of one Bench, and the other Treasurer, Chancellor, and Chief Baron of the Exchequer, Steward of his Household, Guardian of the Wardrobe, Comptroller, and a fit Clerk to keep the Privy Seal, the Justices of the Forest on this side and beyond *Trent*, the Escheators on this side and beyond *Trent*, and the Chief Clerk of the Common Bench, by the Advice of his Baronage in Parliament; and if it should happen and be necessary to chuse any such Officers when there was no Parliament, then the King should do it by the Advice he had about him, until there should be a Parliament: And so it should be for the future, concerning such Ministers when need required.

15. ' That all Governours of Ports and Castles upon the Sea, be placed and made according to the Form above-said.

16. ' And for that the Nations of *Gascoigne*, *Ireland*, and *Scotland*, were in danger to be lost for want of Good Ministers, it was ordained, That Good and Sufficient Officers should be placed there according to the Form of the 2d Article next above, that is the 14th.

17. ' That Sheriffs be from thenceforth made, by the Chancellor and Treasurer, and such of the Council as shall be present; and if the Chancellor be not present, then by the Treasurer, Barons of the Exchequer, and Justices of the King's Bench, that such should be chosen only as had Lands to answer the King and People for their Doings, and no others to have Commissions under the Great Seal.

18. ' That the Guardians and Officers of Forests receive just Trials for their Grieving the People, Oppressions and Misdemeanours, and be removed from their Offices, notwithstanding they have Grants for their Lives.

19. ' Directs the manner of Trial of Trespassers of Vert and Venison, &c. in the Forests, according to the Charter of the Forest, and Declaration of King *Edward I.* which is there recited.

20. ' For that by the Examination of Prelates, Earls, Barons, Knights, and other Good People of the Realm, it was found that *Peirs de Gaveston* had evilly Counsell'd the King, and had inticed him to do ill in divers manners; That he cheated the King of his Treasure, and sent it beyond Sea; That he accroached to himself Royal Power and Dignity, in making Alliances with People upon Oath, to live and die with him against all Men; That he put from the King Good Officers, and placed about him those of his Covin and Party, as well Strangers as others; That he estranged the King's Heart from his

' his Liege People, so as he despised their Counsels; That he caused the King to grant Lands, Tenements, and Offices to himself and his Heirs, and divers other People, to the great Damage and Injury of the King and his Crown; That he caused Blank Charters to be sealed with the Great Seal, in deceit and disinheritation of the King and Crown; That he maintained Robbers and Murderers, causing the King to pardon them; That King *Edward*, the Father of the present King, ordered him to forswear the Realm of *England*, and directed that his Son the present King should for ever forswear his Company; and for several other Reasons, as the Nourishing of Concord between the King and his People, and the Eschewing of many Perils and Discords, it was Ordained the said *Peirs* should for ever be exiled out of *England*, *Scotland*, *Wales*, and *Ireland*, and all the King's Dominions either on this side or beyond the Sea, between that time and the Feast of *All-Saints* next following (having *Dover* assigned him for his Port to pass from, and no other) and if he should be found in *England*, or any other part of the King's Dominions beyond that Day, then he should be treated as an Enemy to the King, Kingdom, and People.

21. ' That * *Emery*, and those of his Company of *Friscombard*, should render an Account of the Treasure he had received, as he was ordered within the *Quinden* or 15 days after *St. Michael*, or the Bodies and Goods of that Company which were found in the Power of the King, should be arrested, and *Emery* declared and holden the King's Enemy, and used as such, if he was found in the King's Power on this side or beyond the Sea.

22. ' For that Monsieur *Henry de Beaumont*, to the Damage and Dishonour of the King, had received of him the Kingdom of *Man*, after it had been Ordained otherwise by the Ordainers, and other Rents, Lands, Franchises, and Offices, and procured for others Lands, Rents, Tenements, Franchises, and Offices against such Ordinance; And for that he gave evil Counsel, contrary to his Oath, it was Ordained he should be outed the King's Council for ever, and not to come near the King, unless he were summoned to Parlement, or in War, if the King would have him, or by common Assent of Arch-Bishops, Bishops, Earls, and Barons in full Parliament; and that all his other Lands should be seized into the King's hands, until he should be satisfied the full Value of what he had received of those Lands given him by the King, contrary to their Ordinance; and if he contended against this Ordinance, then forever to be disinherited of all Lands of the King's Gift.

23. That it was found by the Examination of Prelates, Earls, and Barons, That the Dame *de Versy* had procured the King to give to Sir *Henry Beaumont* her Brother, and others, Lands, Franchises, and Offices, to the Damage and Dishonour of the King, and open Ditherision of the Crown; Et ainsi procure Demander hors Lettres *Deus la Targe contre ley, & l'entencion du Roy*;

* This *Emery*, and those of his Company, were a Society of Merchants by the name of the Society of Merchants of *Friscombard's* of *Forance*, who Rented the King's Customs of Wool, Woolfells, and Leather, and had done so in the Ed. I. Pt. 35. Ed. I. M. 17. Dof.

* Roy; It was Ordained she should go to her Houſe within 15 days after St. Michael next coming, without ever returning to Court to ſtay there, and for all theſe things aforeſaid, and for that the Caſtle of *Bamburgh* was Parcel of the Crown, it was Ordained it ſhould be re-taken into the King's Hands, and ſhould not be given to her or any other without the Pleaſure and good Will of the King.

24. * That Acquittances ſhould be allowed for Debts paid, and Accounts made in the Exchequer, and if the Treafurer and Barons of the Exchequer allowed them not, or made them not in due form, the Plaintiffs ſhould have Remedy upon Petition in Parlement.

25. * For that common Merchants and many other People are received to Plead in the Exchequer Pleas of Debt and Treſpaſs, by reaſon they are avowed by Officers of the place more than before, which ought not to be, whereby Accounts and other things touching the King are often delayed, and the People much grieved, it was Ordained, That for the future no Pleas ſhould be holden in the Exchequer, but ſuch as concerned the King, and the Officers of the Exchequer, and their Menial Servants; And if any be received by Avowry of the Place to Plead therein contrary to the Form aforeſaid, ſuch as are Empleaded ſhall have their Recovery in Parlement.

26. * Alſo, For that the People are much grieved, that the Maſhal and Steward hold many Pleas which belong not to their Office, it was Ordained, they ſhould not hold Plea of Frank Tenement or Debt, or Covenant or Contraſt, nor the Common Pleas of the People, but only Debts and Treſpaſſes of the Court or King's Houſe within the Verge, and Contraſts and Covenants of ſuch as belong to the Court, and no others; and that they ſhould be ſpeedily Pleaded from day to day, and ended before the King paſſed out of the Limits of the Verge where the Treſpaſs was done; and if Pleas were held otherwiſe, they ſhould be null, and ſuch as were grieved might have Redreſs by Recovery of Damages in the Kings-Bench by Writ out of Chancery.

27. * For that before that time many Felonies had been committed within the Verge, which were not puniſhed, becauſe the Coroners of the Country were not permitted to Enquire of ſuch Felonies, but only the Coroners of the Houſhold who were Partial; The Country Coroners without the Verge were to be joined with them in the Caſe of Murder eſpecially, &c.

28. * For that the People were much grieved, that ſome Perſons Banded together to Kill and Rob them, by reaſon the King, by Evil Counſel, gave them their Pardons againſt the Law; It was Ordained, That for the future no Charters of Pardon ſhould be granted for any manner of Felony, but in Caſe where the King might do it by his Oath, Proceſs of Law, and the Cuſtom of the Land, and if any other were granted it ſhould be void.

29. * For

29. * For that many People are delayed of their Demands in the King's Court (*i. e.* Bench) becauſe the Parties alledge they ought not to Anſwer the Demandants without the King, and alſo many of the People grieved by the King's Officers againſt Right, of which Grievances Men can have no Remedy but by frequent Parlements, it was Ordained, That the King hold a Parlement once every year, or twice if there be need, and in convenient place; and in thoſe Parlements, thoſe Pleas which were ſo delayed, and thoſe where the Juſtices ſhould be of divers Opinions, Recorded and Determined; and in the ſame manner Bills (*i. e.* Petitions) ſhould be delivered and ended in Parlement according to Law and Reaſon.

30. * That Money ſhall not be altered without great occaſion, and then by common Advice of the Barons in Parlement.

31. * All Statutes made in Amendment of the Law, and for the Profit of the People by the King's Anceſtors, ſhall be kept and maintained as before, and ought to be according to Law and Reaſon, if they were not contrary to the great Charter, the Charter of the Foreſt, or theſe Ordinances, and if ſo then to be null and void.

32. * That the Law or Common Right be not delayed by Letters of Privy Seal, and ſuch Letters to be void if procured.

33. * Contains an Interpretation of the Statute of *Acton Burnel*.

34. * Concerns the Caſe of Appellants or Appealors, and the Sheriffs and Gaolers Practices thereupon, now almoſt antiquated.

35. * That no Man be appealed of Felonies maliciously, or Outlawed in the Country where he hath no Land or Tenements, nor put to Death or Diſherited by ſuch Suit, or Outlawry, he rendering himſelf to the King's Priſon, &c.

36. * For the abatement of Appeals in Suits and Slight Caſes, in Murder and Robbery, if the Appellees were acquitted, they ſhould recover againſt the Abettors and Appellors according to the Statute.

37. * Againſt Protections for the Delay of Suits, as well in Pleas of Land, as of Debts and Treſpaſſes, by ſuch as feigned themſelves in the King's Service; That the Plaintiff or Demandant diſcovering the Deceit, to have Damages awarded him at the Diſcretion of the Juſtices, and the Tenant of the Land to be adjudged to Priſon a year and day for Cheating the King and Court; and if the Deceit be found in a Plea of Debt or Treſpaſs, upon Attaint, the Defendant ſhall be puniſhed to the King, and pay Damages to the Plaintiff.

38. * Alſo

38. 'Also it was Ordained the great Charter of Franchises, and the Charter of the Forest of King *Henry*, the Son of King *John*, should be holden in all Points, and if there were any Points doubtful in them, they were to be declared next Parlement after this by the *Baronage*, *Justices*, and other *Sages* of the Law; and this was to be done after this manner, because it was not in their power for want of time.

39. 'That the Chancellor, Treasurer, Chief Justices, of one Bench and the other, Chancellor of the Exchequer, Treasurer of the Wardrobe, Steward of the Household, all Justices, Sheriffs, Escheators, Constables, Inquirers into any Matter whatsoever it was, and all other Bayliffs, or Officers of the King, should be Sworn when they received their Offices to keep and observe all the Ordinances made by the Prelates, Earls, and Barons, chosen and assigned for that purpose, and every one of them, without doing any thing to the contrary.

40. 'Also it was Ordained, That in every Parlement there should be assigned One Bishop, Two Earls, and Two Barons, to hear and determine all the Complaints of those that would impeach the King's Ministers whosoever they were, for doing any thing contrary to these Ordinances, and if all the Parties assigned could not attend to hear and determine these Plaints, then Three or Two of them might, and punish such as should be found to have acted contrary to these Ordinances, to the King, and to the Complainants, according to their Discretions.

41. 'Also they Ordained, That the Ordinances above said should be maintained and kept in all their Points, and that the King should cause them to be put under his great Seal, and sent into every County of *England*, to be published, and firmly observed as well within Franchises as without, and in like manner the Warden of the Cinque-Ports should be sent to, that he should publish them to be kept through his whole Jurisdiction.

Then follows the King's Confirmation.

WE these same Ordinances shewed to us, and published on Monday next before the Feast of St. Michael last past, do Agree unto, Accept, Confirm, Will and Grant for us and our Heirs, That all the said Ordinances, and every one of them made according to the Form of our Letters Patents, shall be published, and hereafter firmly observed and kept. In Witness whereof we have caused to be made these our Letters Patents. Given at London the 5th day of October, in the 5th year of our Reign.

In the Parlement Roll 'tis not entered, or any mention made of the Protestation the King made when he confirmed these Ordinances; [6] That is to say, That if they contained any thing to his Damage or Prejudice, or contrary to the Commission granted to the Ordainers, *Et apud non concessis & non confirmatis habere-*

The Ordinances confirmed by the King.

[6] Pat. 6 Ed II. part. 2. M. 20. Inscr. Ril. Plac. Parl. t. 541.

haberentur, those things were not granted or confirmed, reserving to himself in that Protestation Power, by good Advice of the Ordainers, and others, to correct and amend the same, as was more fully contained in a Publick Instrument made of this Protestation.

The Summons to this Parlement, wherein these Ordinances were confirmed, were Dated at [7] *Berwick upon Tweede*, the 16th day of *June*, in the 4th of *Ed. II.* for it to meet the *Sunday* before *St. Lawrence*, or the 10th of *August*, which was in the 5th year of his Reign, at *London*.

In the mean time there [8] happened divers Debates, and a Quarrel between Two Barons, *Nich. de Segrave*, and *William Marshall*, who took Arms on both sides, and engaged their Friends and Confederates so to do, intending to come to this Parlement with a Multitude of Armed Men; [9] The King taking notice it would be in Contempt of him, the Hindering of the Dispatch of Business, to the Terror of the People, and Disturbance of the Peace, sent his Prohibition to them, Commanding them upon their Faith and Homage, and forfeiture of their Lands and Tenements, and all they could forfeit, they should not come to the Parlement so Armed, or in any other manner than they and others use to come in the time of his Father. Witness the King at *Berwick upon Tweede*, *July* 20th.

After the Articles had been confirmed, several of the Prelates, Earls, and Barons, thought it had been a long Session, and made it their [1] Request to the King, they might retire into their own Countries, by whose Advice or Assent he continued the Parlement unto the *Friday* next after the Feast of *All-Saints* at *Westminster*, (*Parliamentum illud usque in diem Veneris proximum post festum omnium sanctorum celebrandum, duximus continuandum*) and gave Leave to some of the Prelates, Earls, and Barons, in the mean time, to go home, (*Et quibusdam de Prelatis, Comitibus & Baronibus, licentiam concessimus, se interim ad propria revertendi*) commanding [2] them to be at the time and place aforesaid; and further commanding the Arch-Bishop of *Canterbury*, That he should give notice to the Deans and Priors of [3] Cathedral Churches, also the Abbots, and Arch-Deacons, in their own Persons, and the Clergy of the whole Province by their Proctors, to be in that Parlement 8 days after *St. Martin*. Witness the King at *London* the 8th day of *October*.

But this short time (as he thought) for the Summons of his Clergy [4] pleased not the Arch-Bishop, and therefore the King, if there might be any Words in that Writ [5] prejudicial to him and his Church, promised they should be amended in Parlement, and gave him Leave to Direct his Clergy to be at the Parlement Fifteen days or Three weeks after *St. Martin*, according to his Discretion. Witness the King at *Eltham* the 24th day of *October*.

The King's Protestation, that if the Ordinances contained any thing to his damage it should be void.

[7] Cl. 4 Ed II. M. 1. Dors. A Parlement summoned to confirm these Ordinances.

[8] Cl. 5 Ed II. M. 31. Dors. A Quarrel between two Barons.

[9] Ibid. They intend to come to the Parlement with a number of Armed Men on either side. The King forbids them.

[1] Cl. 5 Ed II. M. 25. Dors. The Continuation or Prorogation of this Parlement.

[2] Ibid.

[3] Ibid.

[4] Ibid.

[5] Ibid.

The

[6] Cl. 5 Ed. II.
M. 22. Dors.The great
Earls intended
to come to
Parliament
with Horse
and Arms.The King
Commands
them not to
come in such
manner.The Parle-
ment Dissol-
ved.Another Parle-
ment sum-
moned.[7] Ib. M. 17.
Dors.Which never
met.

[8] Ib.

M. 15. Dors.

Piers Gaveston
quitted the
Nation ac-
cording to the
Ordinances.[9] Append.
n. 53.Was recalled
by the King.[1] Cl. 5 Ed. II.
M. 15. Dors.The Lords
make advan-
tage of the
recalling Piers
Gaveston.

The Arch-Bishop without doubt took the longest time, and accordingly others of the Prelates, Earls, and Barons, delayed their coming until the Clergy should meet, unless there were a further continuance of the Parlement, which I find not; for on the 28th of November the King issued his [6] Writs to Gilbert of Clare Earl of Gloucester and Hertford, Thomas Earl of Lancaster, Humfrid de Bohun Earl of Hereford and Essex, Adomar de Valencia Earl of Pembroke, Guy Beauchamp Earl of Warrick, and Edmund Earl of Arundel, [7] to signify to them, he was informed they were coming to his present Parlement, which was continued at Westminster, with Horse and Arms, after an undue manner, which would hinder the Dispatch of Business in Parlement, which concerned him and the State of the Kingdom, affright the People, and disturb his Peace, wherefore he Commanded them upon their Faith and Homage, not to come in such manner, but only as they used to come in his Father's time without Horse and Arms, nor should attempt any other thing that might disturb the Peace.

By reason of the Solemnity of Christmas this Parlement was Dissolved, and much Business was left undispatched, and therefore there was another Parlement summoned to meet concerning that Business at [7] Westminster, on the first Sunday in Lent; Witness the King at Westminster the 19th of December. This Parlement never met, the Sheriffs in all Counties had [8] Command to make Proclamation, That the Knights, Citizens, and Burghes, or others, should not come at the time, and to the place appointed, because the King could not be there, without any continuation of their meeting at other time and place; Witness the King at York the 20th day of January.

Piers Gaveston quitted the Nation according to the 20th Article of the Ordinances, but long he stayed not beyond the Seas, for on the 18th of January we find him in England with the King at York, and recalled by him, [9] as having been Banished contrary to the Laws and Usages of the Kingdom, which he was bound to maintain by the Oath he made at his Coronation; and he farther wrote to the Sheriff of Yorkshire, and all Sheriffs in England, That seeing he had in the Instrument of Exile no other Appellations but of good and Loyal, he returned at his Commandment, and was ready to stand to Right before him, and answer to all such as would accuse him, every thing that should be objected against him, according to the Laws and Usages aforesaid; Wherefore he should always esteem him good and Loyal, and commanded them to repute him so, and publish this Matter through their whole Counties; Given at York the 18th day of January; And [1] two days after, writes to the Sheriffs of those Counties where he had Lands, to restore them, with the Profits they had received, since they had seized them into his Hands.

The Lords neglected not this opportunity offered them by this Indulgence of the King, Declaring the Laws and Customes of the Kingdom were not observed, nor the late made Ordinances regarded.

The

The King to obviate the Effects of such Reports, issued a Declaration, which he commanded and firmly enjoined the Sheriffs of all Counties to proclaim in full County, in all Cities, Burghs, and Mercate Towns, and other Places they should think expedient, That it [2] was his great Care, and chief Desire, his Peace should every where be observed, and that all the Laws and Customs of the Kingdom used and approved in the time of his Progenitors, and also all the Ordinances lately made to the Honour of God, and Holy Church, and his own, to the profit of him and the People, which were not to the Damage or Prejudice of him, or his Crown, or contrary to the Laws and Customs aforesaid, should be maintained and kept. Witness the King at York, the 26th of January.

And not long after fearing Disturbance from the Lords, he wrote * to the Mayor, Aldermen, and Common Council of London, to secure the City, so as by the Meetings of the Prelates, Earls, Barons, or any others, there might happen no Hurt or Danger to him, or the City. Witness the King at York, the 8th of February.

This Declaration and Order, availed not, and therefore the King (as he said) resolved to Preserve the Rights of his Crown and Dignity Royal, the Peace and Tranquillity of Holy Church, and the whole People committed to his Charge in all things. And to this Purpose [3] wrote to all Sheriffs (the nearest to the Place where he was) to signify his Pleasure to all People, as soon as might be, left by contrary Reports, it might be suspected he would not do it, and commanded them to make Proclamation thereof by themselves and Deputies, once a Week, in all Cities, Burghs, Mercat-Towns, and other Places in their Counties, and that his Intention might be more plainly known, he directed, That the Sheriffs should come to him, and every one bring with him a Person of Credit, whom he could Trust, to hear what he should further say to them, that they might publish it to the People, as he should then openly Enjoin them. Witness the King at York, the 24th Day of February.

This way also proving ineffectual, he intended to proceed amicably with the dissatisfied Bishops and Barons, and according to the Power reserved in the Protestation he made, when he confirmed the Ordinances, he appointed [4] Commissioners, the Bishop of Norwich, Guy Terre, John de Crumwell, Hugh de Audeley, William Deyncourt, Henry Spigurnell, Henry le Scoop, Knights, (the two last Justices) and Thomas de Cobham, Robert de Piking, Walter de Thorp, Gilbert de Middleton, John Fraunceys, and Andrew Briggs, Clerics, or as many of them as could be present, to Treat with the Prelates, Earls, and Barons, who made the Ordinances, (upon which were grounded all the Pretences of Discontent and Quarrelling with the King) to Correct and Reform by their good Advice, all such Things in them as were Prejudicial and Injurious to him, if any such were. Witness the King at York, the 8th Day of March.

The K. issues
a Proclama-
tion and De-
claration to
satisfy them
and others.
[3] Append.
N. 54.

* Par. 5 Ed. 2.
Part 2. M. 22.
The K. writes
to the Mayor
of London, &c.
to secure the
City, &c.

The Decla-
ration avails not

[3] Caus. 5
Ed. 2. M. 13.
Dors.

[4] Append.
N. 55.
A. D. 1311.
5 Ed. 2.
The King ap-
points Com-
missioners to
Treat with the
Ordinaries
about correct-
ing the Ordi-
nances, ac-
cording to his
Protestation.

P

Those

[5] *Pat. 6 Ed. 2. Part 1. M. 20. intr. Ry. Plac. Parl. f. 544*

[6] *Ibm.*
The Ordainers at present decline a Treaty with the King's Commissioners in his absence.

[7] *Trokelow, f. 109. b. Col. 2. & f. 195. a. Col. 1. Wulf. f. 100. n. 2030*
The Speech of Henry E. of Lincoln before his Death.

How Holy Church was oppressed, &c.

Those Prelates, Earls, and Barons, were then at [5] London, and excusing themselves for Treating concerning the Ordinances, in the absence of the King, sent him this Answer, [6] That in his presence, whenever he pleased to call them together, they would Treat upon the Ordinances. and should be ready to do all things according to the Protestation he made, and also according to the Protestation they made, at the time of publishing those Ordinances.

In the mean time, these Ordainers pursued their Designs, both open and secret, which were much promoted by a [7] Speech our Historians report to be made by Henry Earl of Lincoln on his Death-Bed, to Thomas Earl of Lancaster, who had married Alice his Daughter and Heir, That God had blessed him with greater Riches than any Nobleman in England, and that therefore he was bound before others to honour him; and told him, *He saw the Church of England that was wont to be free, now brought into Servitude by the Oppressions of the Romans, and unjust Exactions so often Extorted by Kings; (Cernis jam oculata fide, Quod Ecclesia Anglicana quæ solebat esse libera, per oppressiones Romanorum, & injustas Exactiones a Regibus toties Extortas nunc facta est ancilla)* and the People also which were wont to enjoy many Liberties, were brought into the same Condition, by divers Tallages and Vexations imposed on them by Kings, *Adjuring him by the Blessing of God and his own, That when he had an Opportunity, he should Free and Defend the Church and People from such Oppressions, for the Honour of God, That he should pay all due Honour and Reverence to the King that was his Lord, yet cause him to remove from his Court Evil Counsellors and Strangers, (& ut malos Consiliarios & Alienigenas à Curia sua amoveat)* and effectually to observe the Tenor of Magna Charta, and other Articles, (i.e. the Ordinances) Demanded by, and Granted to the Clergy and Laity; and that in order to the accomplishing these things, he should contract a strict Alliance with Guy Earl of Warwick, who better understood them than any other. Having ended his Speech, says [8] *Walsingham*, he took his Leave of the World, and after his Funeral, Thomas Earl of Lancaster with his Adherents, *Humfrid de Bohun* Earl of Hereford, *Aymer* or *Adomar de Valentia* Earl of Pembroke, *Guy Beauchamp* Earl of Warwick, and the Earl of Arundel, and other Barons which the Historian thought too many to name, with the Earl of Warren and Surry, who inclining toward the King, was brought off to the Party by the Archbishop of Canterbury, undertook to Relieve Holy Mother Church from Oppression, and recover the due Liberty of the Kingdom.

Thomas Earl of Lancaster [9] was chosen their Captain or General, who by common Agreement sent to the King then at York, beseeching him either to Deliver *Piers Gaveston* to them, or as it had been Ordained, command him to avoid the Kingdom; [1] The King took small notice of their Supplications, left York, and went to Newcastle upon Tyne, where he continued until the Feast of the Ascension, the Queen being at Timmouth. The Lords [2] Arm, raise an Army, and with all speed march towards Newcastle, not that they would offer Injury, or create Trouble to their Lord

[8] *Ue supra. N. 50. co.*
Thomas Earl of Lancaster and his Adherents resolve to Relieve Holy Church, &c.

[9] *Ibm.*
The Earl of Lancaster chosen General of the Party.

[1] *Ibm. f. 101. l. 1. a.*
Who demand of the King to deliver Gaveston to them, &c. He took little notice of their Request.

[2] *Ibm. n. 10.*
The Lords Arm.
The K. goes to Newcastle with Gaveston.

Lord the King, but only take *Piers Gaveston*, and judge him according to the Laws made by common Agreement, (*ut ipsum petrum captum, secundum leges communiter editas* (i.e. the Ordinances) *judicaret.* When the King heard the Barons [3] were coming with an Army, he with Peter fled swiftly to Timmouth; and when they had possessed themselves of Newcastle, forthwith he again with Gaveston went into a Ship; and though the Queen then great with Child, beseeched him with Tears to stay, he took no Pity of her, but failed to Scarborough, commanding the Soldiers in the Castle to Victual it forthwith, and protect him, while he went toward Warwickshire. [4] *Trokelow* writes, That the Earl of Lancaster, before he left Newcastle to pursue the King and *Piers de Gaveston*, sent to the Queen then at Timmouth-Castle, (and in great Passion that the King would not stay with her) by Trusty Messengers to comfort her, *Faithfully promising, That he would not give over his pursuit until he had removed Peter from the King*, and made his Excuse for not coming to her in Person, left for her sake, he should incur the King's Indignation, *Ne forte indignationem Regis causa ipsius incurreret.*

The Lords [5] having notice of his being Shipped off, seized upon his Horses, and other Goods he had left at Newcastle, causing them to be valued, and kept secure, and then marched with what speed they could to Scarborough, and besieged it; [6] but the Earl of Lancaster finding no Opposition from the Country, retired with his Forces, that he might not be burthened to the adjacent Parts, and left the Earls of Pembroke and Warren to take in the Castle, who in a short time so wearied the Guards within by Assaults, that they were not able to Defend it. [7] Then *Piers* seeing no remedy render'd himself upon condition to stand to the Judgment of the Barons, and that he might once more speak with the King. [8] The King hearing Peter was taken, desired he might speak with him, and prayed his Life might be saved; promising if it might be so, he would satisfy the Desires of the Great Men in all things. [9] The Earl of Pembroke laying hold of this Promise, persuaded the Barons to grant the King's Request, promising under pain of losing all his Lands to keep him safe, while he had spoken with the King, and then to restore him to the Barons at a Day and Place prefixed, [1] intending to have carried him to *Wallingford*; in his way thither at *Daddington*, (now *Deddington* in Oxfordshire, four or five Miles from *Banbury*) the Earl left him to the Care of his Servants, while he went to lodge with his Lady at a Neighbouring Place, [2] which the Earl of Warwick, having notice of, came with a great Multitude, and noise of Armed Men that Night, and took him from the Servants, and carried him to his Castle. It being then doubtful what to do with him, whether they should carry him to the King, or put him to Death, a certain [3] Cunning Man, and of great Advice, answered, (*Quidem vir astutus & profundi Consilii respondit*) That it was to no purpose, having been at such Charge and Trouble to take him, to hazard the losing of him, or to seek him again, [4] adding, That it were much better that he should suffer Death, then a War should be raised in the Kingdom; when all assenting to this Advice, they took him out of Prison, and carried him to

[3] *Ibm.*
The Barons march thither with an Army. The K. goes to Timmouth. From thence to Scarborough by Ship.

[4] *Fol. 195. b. Col. 2.*

The Earl of Lancaster tends to Comfort the Queen, whom the K. had left at Timmouth.

[5] *Walsingham. f. 101. n. 10.*
The Lords besiege Scarborough Castle.

[6] *Ibm. N. 20.*

[7] *Ibm.*
Piers Gaveston renders himself. Upon condition to stand to the Judgment of the Barons.

[8] *Ibm.*
The K. desired *Piers* his Life might be saved.

[9] *Ibm. N. 30.*

[1] *Ibm.*

[2] *Ibm. N. 40.*

[3] *Ibm.*

[4] *Ibm. N. 50.*

The Lords put
Piers Gaveston
to Death with-
out Judgment.
[5] *Knigh-
ton*,
Col. 2533.
lin. 5.
[6] Baronsage,
Tom. 2. f. 44
Col. 1.

[7] Append.
N. 56.
A. D. 1312.

Piers Gaveston
not truly
dealt with up-
on his Sur-
render.

[8] *Wal-
fing-
ham*,
F. 102. N. 50.
E. f. 102. l. 1.
C.

The Lord de-
manded the
Confirmation
and Execu-
tion of the Or-
dinances.

[9] *Ibm.*
[1] *Ibm.*

[2] Append.
N. 57.
The King sent
to the Chief
Ordainers to
come to his
Presence, and
treat about re-
forming the
Ordinances.

They came
not, but
marched a-
bout the
Country.

[3] Append.
N. 58.
Encouraging
the People to
join with
them.

The King forbids
the Earls to
come near
him with
Horse and
Arms.

an Ascent or Hill about a Mile North-East of *Warwick*, called *Black-Low*, and there cut off his Head, on the [5] day of *Ger-
vaise* and *Protasius*, the Martyrs, or 19th of *June*. Sir *William
Dugdale* [6] from the MSS. K. 84.96. b. in the Bodleian Library,
reports the Earls of *Lancaster*, *Hereford*, and *Arundel* being at
this Consultation. Thus *Walsingham*; But Part of this Story is
otherwise upon Record.

The King [7] wrote to *John de Moubray*, *Guardian* of the *County
and City of York*, That *Henry de Percy* late by his Writing or In-
strument, before him in his Presence, upon Forfeiture of Life
and Limb, Lands and Tenements, and all he could forfeit, un-
dertook to preserve and keep safe from Damage *Peter de Gaveston*
then *Earl of Cornwall*, for a certain time, according to certain
Terms and Conditions, upon which he render'd himself to the
said *Henry*, and others. without the *Castle of Scardeburgh*, and that
the same *Henry* after the said *Peter* had been Killed before the
Time, and contrary to the Terms and Conditions aforesaid, came
not to him, but withdrew himself, by which he made himself
suspected, and therefore commanded him to take him without
Delay. and bring him to him wherever he was. Witness the
King at *London*, the 31st Day of *July*, in the 6th of his Reign.

The [8] Great Men having obtained their Purpose, against
Gaveston, sent to the King, proudly Demanding (*Proterve Postu-
lantes*) their Ordinances to be Confirmed, and put in Execution,
Threatning, That if it was not done speedily, they would come and
force him to do it; [9] and forthwith they united their Forces,
and Quartered themselves in the Country about *Dunstable*, he
being then [1] at *London*.

Upon this Occasion undoubtedly it was, as also upon occasion
of an Answer to the like Message about Five Months before, as
above related, that the King sent [2] *John de Benfede*, one of
his Justices, to the Earls of *Lancaster*, *Hereford*, and *Warwick*,
who were at the making of those Ordinances, to be with him at
London or *Westminster*, on the Sunday next after *St. Bartholomew*,
to Treat in his Presence about Correcting and Reforming the Or-
dinances, if any thing should be found in them Injurious or
Prejudicial to him; and that he should enjoin them by their
Faith and Homage, that they should not come with Horse and
Arms. Witness the King, the 4th of *August*, at *Canterbury*.

Notwithstanding this Notice and Inhibition, they came not,
but marched about the Country with Horse and Arms, Encou-
raging the People to join with them, and therefore the King en-
joined [3] certain Commissioners, (reciting the most Material
Part of his Precept, as above, to *John de Benfede*.) And seeing
they had not come to him as then Ordered and Enjoined, or sent
any one to answer for them; and understanding the said Earls,
with Horse and Arms, and a great Multitude of Armed Men to
be coming toward him, to the great Terror of the People, he
assigned the same Commissioners, to forbid the Earls, and every one
of them, by the Faith and Homage they ought him, That they
should not with Horse and Arms come nearer to him, and if the Earls
would not obey the Prohibition, then to forbid all and every one
coming

coming with them, to proceed further, under the same Forfeiture.
Witness the King at *Westminster*, the Third Day of *September*.

The Bishops with the Earl of *Glocester*, perceiving this [4] Dis-
sentention would be dangerous to the Church and Kingdom, used
all their Endeavours for a Peace: [5] They met at *St. Albans* with
the Pope's Nuncios, sent by him as Mediators between the King
and Lords. These Nuncios, [6] says *Walsingham*, sent certain
Clerks from *St. Albans* to *Whetbested* three or four Miles distant,
where the Barons then lay with their Army, with the Pope's Let-
ters, persuading them to Peace; and that they would not receive
them, saying, They were not Learned, but bred up to Arms, and
therefore cared not to see them: Then the Messengers desired to
know if they would speak with the Nuncios, who would willingly
come to them to Propound and Discourse with them about a Pro-
ject of Peace; This says the Historian, they utterly refused, send-
ing for Answer, That there were many learned Bishops in the
Kingdom whose Advice they would take, and not the Advice of
Strangers, who knew nothing of the Cause of Dissention. [7]
The Nuncios affrighted at this Return, Early in the Morning made
haste to *London*, after they had been at *St. Albans* above a Month,
and that then the Bishops and Earl of *Glocester*, by great Industry
made the Peace. But this cannot be true; for the Record of the
Articles of Peace is in this Form.

Ceo est le [8] *Tretiz de la Pees, &c.* This is the Treaty of Peace
upon certain Displeasures the King hath conceived against the
Earls of *Lancaster*, *Hereford*, and *Warwick*, and other Barons and
Great Men of his Realm, made and accorded, before the Honorable
Father, Monsieur *Ernald* by the Grace of GOD, by the Title
of *St. Prisca* Priest-Cardinal, Monsieur *Arnold* Bishop of *Poitiers*,
sent into England by our Holy Father the Pope, Monsieur * *Lewis*
of France Earl of *Eureux*, the Earls of *Glocester* and *Richmond*;
By the Earl of *Hereford*, Monsieur *Robert de Clifford*, and Monsi-
eur *John Botetorte*, sent to *London*, with sufficient power to Do,
Treat and Agree on the Part of the Earls, &c, and by the Earl
of *Pembroke*, Monsieur *Hugh le Despencer*, and Monsieur *Nicholas
de Segrave*, Deputed by the King, to hear the said Treaty, and Re-
port it to him in the manner following.

1. First, That the Earls and Barons shall come before the King
in *Westminster-Hall*, and with great Humility on their Knees make
their Submission, and Swear if he will have them, That what they
did, for which he thought ill of, and intended to punish them, was not
done in Despight of him, and they shall humbly pray his Forgiveness,
and receive it with a good Will, and shall restore all that was taken
at *Newcastle upon Tyne*, or other where, from *Pier de Gaveston* what-
ever it was, viz. all his Jewels, Horses, and other things whatever
they were, &c.

2. The Second Article contains the Statute for the Security of
the Earls and Barons, their Adherents and Allies, which was to
have been passed in the next Parlement to be holden on the Third
Sunday in *Lent*, with this Title, [9] *Ne quis occasione pro Petri*
Petri

[4] *Wal-
fing-
ham*,
F. 102. N. 10.

[5] *Ibm.*

[6] *Ibm.*
Walsingham's
false Report of
the Treaty
between the
K. and Barons.

[7] *Ibm.* n. 20.

[8] *Clau-
f. 6.*
*E. 2. M. 8. Dou-
riley's Placit.*
Parl. f. 538.
A. D. 1312.
The Treaty
of Peace be-
tween the K.
and Barons.
* King *Philip*
Son, and Bro-
ther to Queen
Isabel.

The Articles
of Peace be-
tween the K.
and Barons.

[9] Old Sta-
tutes printed.
A. D. 1549.

Petri de Gaveston : That no Man be prosecuted for the Death of Peter Gaveston ; and further, That the King should Release and Quit the Earls, Barons, their Adherents, Friends and Allies, all Rancor, Displeasure, Actions, Obligations, Complaints, and Accusations, which arose by the Occasion of Peter Gaveston, since he married his Dear Companion Isabel Queen of England, whether it were for the Taking, Detaining, or Death of him, or the Seizing any Town or Castle, or Besieging of them, or for bearing Arms, or imprisoning any Persons.

3. *Also it was agreed, That if this Security pleased the Earls and Barons, and that they would not come to Parlement in their proper Persons, they should send their Proxeys, with sufficient Power to receive and consent to that Security, and also with sufficient Power to consent to a Security to be made in that Parlement, for the Adherents to, and Receivers of Peter Gaveston, which security was treated of and agreed, and there recited, being the same with the [1] Statute having this Title, Ne quis occasione Petro Reditu Petri de Gaveston : That no Man be prosecuted for the Return of Peter de Gaveston.*

4. *Also the Treaters agree, That in the next Parlement there should be Provision made by the common Assent of the Prelates, Earls, and Barons, that in all Parlements, Treaties, and other Assemblies in England, from that time forward for ever, Men should come without Force, and without Arms, peaceably to the Honour of the King, and the Peace of him and the Realm ; and the three Treaters promised to use their utmost Endeavour with the Earls of Lancaster and Warwick, by themselves or Poxyes, to consent to this Provision : And further it was ordered, That no Business should be propounded in this Parlement, but the Security's, and this Provision, nor any come with Arms, before the Submission was made, (which was certainly Done, or the Acts of Security had never passed) and then they might Treat of other Parlement Matters, as there might be occasion.*

5. *Also the Treaters promised, That after this Reconciliation was made, they would do what in them lay, with their whole Endeavour with their Peers, That the King should have an agreeable Aid of the whole Realm, for his War with Scotland.*

6. *Also the three Treaters complained, That the King since the Conduct given for this Treaty to the Lords and their Adherents, had caused the Lands and Goods of Monsieur Griffin de la Fole, to be seized, and also of Monsieur Fouk Lettrange ; There were to be two Justices not suspected of Partiality, appointed by the King, to Examine the Matter, and do them right.*

7. *Also that the Goods of Monsieur Henry de Percy, which were seized by the King, be restored by Pledges or Sureties until the next Parlement.*

8. *Also it was agreed on behalf of the King, That all Men might safely Pass and Repass through the Kingdom of England, or elsewhere, for the Dispatch of their Business under his Protection, they doing or receiving no Wrong : This Conduct and Security to continue until Pentecost*

[1] Ibid.

tecost next coming, and of this, the King to grant Letters under the Great Seal, To the Earls, Barons, and their Adherents.

The Collation of this Indenture was Made and Read in the Year of Grace 1312. on the Wednesday next before Christmas, in the Cardinal's Chamber at London, in the Presence of the Cardinal, the Bishop of Poitiers, the Bishop of Worcester, the Earl of Pembroke, and many others: In Witness whereof one Part of the Indenture remained with the King, and the other Part was given to Master John Waleweyn, and Michael de Meldon, to be carried to the Earls and Barons.

The two Securities mentioned in this Treaty, were not passed into Statutes, as was agreed in the Second Article in the Parlement summoned on the 20th of January, in the Sixth of this King, to meet on the Third Sunday in Lent, nor in the next, summoned on the 23d of May next following, to meet Fifteen days after the Nativity of St. John Baptist, but in that which was summoned on the 26th of July, in the Seventh of his Reign, to meet on Sunday next after the Feast of St. Mathew the Apostle, as may be seen in the Old Statutes Printed 1540.

Robert Winchelsey, Archbishop of Canterbury, lived to see the Articles of this Treaty finished, but Dying on the [2] 11th of May preceding, lived not to the passing of these Statutes, by whose Persuasion and Encouragement the Earl of Lancaster and Adherents opposed the King in his Folly. [3] Thomas Lancastrie ipsius Roberti (speaking of this Archbishop) animatus hortatu, cum sibi adherentibus per plures annos conatus est Regiis obistere ineptiis.

The great Opinion the Earl had of this Archbishop, or thinking it a great Advantage for a Miracle-worker and Saint, to have been a Patron of the Cause, he wrote to the [4] Prior and Convent of Canterbury, praying them as he had done before, to give Testimony some notorious Way, and by their Letters Patents, what Miracles God had wrought by Robert Archbishop of Canterbury that last was ; and what he had wrought as well in his Life-time, as after his Death, and to inform him of the Miracles, which were hanged up in writing before his Tomb.

Taking advantage of these Dissentions and Controversies in England, Robert Bruce [5] reduced the most Part of Scotland to his Obedience, and took in most of the English Garrisons, some by Force, others upon Terms, some one Year, some another. Having taken Edinburgh, he sent his Brother Edward to besiege Sterling Castle, in which was Philip Mowbray a Stout and Provident Governor, who taking notice of the Success of the Scots, had exceedingly Fortify'd and Victualled it. Edward Bruce after some time lying before it, despair'd of taking it by Force, and both sides agreed on these Conditions ; [6] That if the English did not Relieve the Castle within a Year from the Day of the Treaty, it should be Delivered to the Scots ; and that the Garrison should have safe Conduct, to go whither they would, with all their Goods.

A.D. 1313.

Robert Winchelsey a Bishop of Canterbury dies [2] Hystor. Sacra. f. 17. By whose Persuasion the E. of Lancaster opposed the King. [3] Ren. Higden. Lib. 7. Cap. 41.

[4] Append. N. 59. The Earl of Lancaster wrote to the Prior and Convent of Canterbury for a Particular of the Miracles wrought by Winchelsey.

[5] Buchan. Hist. f. 80. b. A. D. 1313. Robert Bruce taking advantage of the Dissentions in England, reduced a great Part of Scotland to his Obedience. [6] Ibid. n. 80.

The

A. D. 1314.
7. Ed. II.

[7] *Clauf.* 7.
Ed. II. M. 8.
Dur.
The Earls of
Lancaster,
[8] *Trekelow*, f.
198, a. col. 2. &
Wal. f. 124. n.
50.
Warwick and
Arundel, refuse
[9] lb. f. 105.
lin. 1, &c.
to save the
King against
the Scots.
The Battle of
Bannockburn.

[1] *Frois.* vol. 1.
c. 6. f. 2. a.
col. 2.

[2] *Rot. Parl.*
n. 35, 36.
A. D. 1314.

[3] *Append.*
n. 60.
The People
in Stafford &
Shropshire re-
fuse to pay a
20th part
granted by
Parliament.
[4] *Ibm.*
The Pretences
of their
Denial.
[5] *Ibm.*

The next Spring, the Scots came into the Marches or Borders, and made great Ravages and Slaughters there; and to suppress their Insolencies, secure the Borders from their Cruelties, and drive them back, the King summoned the Militia to [7] meet him at Newcastle upon Tyne 3 Weeks after Easter, and march from thence against his Enemies; and all that ought him Service came: But the [8] Earls of Lancaster, Warwick, Warren, and Arundel, who refused their Service, because the King had not effectually observed, or put the Ordinances in due execution without them. The King [9] marched with a numerous and glorious Army to the Relief of Sterlin-Castle, where he received a mighty Overthrow on the Eve and Day of St. John Baptist, or 24th of June. In this Battle (which is called the Battle of Strivelin, or Bannocks-Burn, because fought near Sterlin, and by the Brook or River Bannock) was slain Gilbert Earl of Clare, and several other Noble-men, many Knights and Bannerets, and a great number of ordinary Men, and many of all sorts taken Prisoners, the King hardly escaping. The Particulars of this Fatal Fight may be seen in most of our Historians. [1] There was great murmuring after this Defeat, the Barons, whereof the Earl of Lancaster was Chief, put it upon Hugh Spenser the Younger, that by his Advice the Field was lost, and that he was favourable to the King of Scots.

In the Parlement holden at Westminster, eight days after St. Hilary, or 20th of January, in the 8th of his Reign (per Petitionem Archiepiscoporum, Episcoporum, Comitum, Baronum, & aliorum de Communitate Regni coram nobis & consilio nostro exhibitam, &c.) by a Petition of the Arch-Bishops, Bishops, Earls, Barons, and others of the Community of the Kingdom, exhibited to the King and his Council, That Oxen, Cows, Muttons, Hogs, Geese, Hens, Capons, Chickens, Pigeons, and Eggs, were intolerably dear; it was enacted and proclaimed in every County, That the best Ox not fed with Grain, should be sold for 16 s. and no more; and if he were fed with Corn, then for 24 s. at most. The best live fat Cow for 12 s. a fat Hog of two Years old for 3 s. 4 d. a fat Wether or Mutton unshorn for 20 d. and shorn for 14 d. a fat Goose for 2 d. ob. a good and fat Capon for 2 d. a fat Hen for 1 d. two Chickens for 1 d. four Pigeons for 1 d. and twenty four Eggs for 1 d. And those that would not sell these Things at these Rates, should forfeit them to the King.

This Parlement [3] gave the King a 20th Part of their Goods, or Moveables, which in Stafford and Shropshire some dissatisfied People refused to pay, and hindred the Collectors appointed by the King from gathering of it, [4] pretending it was granted upon certain Conditions, to wit, That he should cause the Great Charter of the Liberties of England, the Charter of the Forest, the Ordinances made by the Prelates, Earls, and Barons, and the Perambulation of the Forests to be observed, which had not then been duly put in execution. At which the King was much surprized and displeased, seeing he had commanded them to be observed, and had assigned Commissioners in all Counties to make the Perambulations: [5] Therefore that he might be thoroughly satisfied about the Nature of the Action, and have the Names of the

the Actors, he appointed one of his Clerks, with the Collectors, to make enquiry by themselves, and if it were needful by the Oaths of lawful Men of those Parts, of all Particulars concerning the same, and certifie him distinctly of them.

In the 9th of his Reign, in the Parlement at Lincoln [6], holden 15 Days after St. Hilary, the King deferred the declaring the Business of the Parlement, because Thomas Earl of Lancaster and other Great Men were not then come; according to whose Advice he intended to proceed; yet on [7] Wednesday next after the Quinden of Hilary, the Chancellor, Treasurer, and Justices of both Benches, were enjoined to bring in Briefs of such Matters depending before them in their several Places, which out of Parlement could not be determined, that here in this Session they might do in such Cases what ought to be done.

On the 12th of February, being Thursday, the Earl of Lancaster and other Great Men being present, the cause of Calling the Parlement was declared, being for their Advice and Assistance against the King's Enemies the Scots, who had possessed themselves of the greatest part of that Nation, and disowned their Obedience, [8] beseeching and enjoining the Prelates, Noblemen, and other his Liege Subjects being there, to advise and assist him: Supplicants & injungens Prelatis, Proceribus, & ceteris Fidelibus, & Subditis suis ibidem existentibus, ut sibi in premissis consulerent, & facerent sibi auxilium oportunitum.

After this it was agreed [9], That the Prelates and Noblemen (Prelati & Proceres) should meet on the morrow being Friday, to treat of Parlement Business, they met that Day, and discoursed of many things; and it was agreed and commanded by the King (Concordatum fuit & per Regem preceptum) they should meet the next day, to treat of the same Matter, [1] when they agreed the Proclamation about the Prices of Oxen, Cows, Sheep, Geese, Hens, and other Victuals set the last Parlement, should be revoked, and that they should be sold as formerly at reasonable Rates. The reason of this, says Walsingham, was [2] because after the Price set in Parlement, they were much dearer.

On Tuesday following the King, by the Bishop of Norwich, promised to [3] observe all the Ordinances formerly made by the Prelates and Great Men (per Prelatos & Proceres) and also the Perambulations of the Forest made in his Father's time, saving to the King his Reasons against them (salvo Regi Rationibus suis contra Perambulationes) and thereof Writs were made accordingly.

On the Friday next coming [4] the Great Men and Community of the Kingdom (Magnates & Communis Regni) Granted to the King in Aid of his War with Scotland, of every Town in the Kingdom one Stout Footman, except in Cities and Burghs, and the King's Demesnes; and these Footmen were to be armed, and furnished with Swords, Bows, Arrows, Slings, Lances, and other Armour fit for Footmen, at the Charge of the Towns, and their Expenses to be paid until they came at the Place of Rendezvous,

Q

Commissioners appointed to enquire about their Pretences

[6] *Rot. Parl.* n. 1. A. D. 1315.

The cause of Summons to Parlement deferred to be declared, because the Earl of Lancaster and other Great Men not come.

[7] *Ibm.*
The Chancellor and Justices of both Benches enjoined to bring in Briefs of such Causes as could not be determined out of Parlement. The Scots disobedient to K. Ed. II.
[8] *Ibm.*

[9] *Ibm.*

[1] *Ibm.*
The Prices of Victuals revoked.

[2] *Hist. f.* 107. n. 20.

[3] *Rot. Parl.* n. 1.
The King promised to observe the Ordinances.

[4] *Ibm.*
Soldiers how raised and paid against the Scots.

and their *Wages* for 60 Days after and no longer, if the King's Service required it, at 4 d. the day; and Market-Towns that were further able to be charged with Men, were so to be charged, the King promising to give his Letters to the Great Men and Community of the Kingdom (*Magnatibus & Communitati Regni*) and to their Heirs, That this Grant should be no Precedent, nor drawn into Example for the future.

[5] *Ibm.*

The same Day the King, by Advice of the Prelates and Great Men (*Consilio Prelatorum & Procerum*) ordered the [5] whole Service due to him, *i. e.* all the Horse of England, to be Summoned for this cause, to be at Newcastle upon Tyne 15 Days after Midsummer.

[6] *Ibm. n. 2.*

The Citizens, Burgeffes, and Knights [6] (*Cives, Burgenfes, & Milites de Comitatus qui venerunt ad Parliamentum*) then Granted the King in Aid of this War and Expedition, a 15th Part of all the moveable Goods, [7] *Civium, Burgenfium, & Hominum de Civitatibus, Burgis, & de Dominicis Regis*) of Citizens, Burgeffes, and Men of Cities, Burghs, and the King's Demeafns, which they had at Michaelmas then laft paft.

[8] *Ibm. n. 3.*
The King had a sincere good will toward the Earl of Lancaster and other Great Men.

[9] *Ibm.*

On Shrove-Tuesday in the Parlement, [8] the Bishop of Norwich on behalf of the King, moved the Earl of Lancaster to put away all Doubting he might have of him, for that he had a sincere Goodwill towards him, and the other Great Men (*erga ipsum & alios Proceres Regni sui*) and held them to be his Faithful Liege-men, and told him the King desired to have him the Chief of his Council, requesting him [9] (*ex parte Domini Regis & Prelatorum ac Procerum Regni ibidem existentium*) on behalf of the King, Prelates, and Great Men there present, to take upon him to assist and advise in the Affairs of King and Kingdom. The Earl thanked the King, and and humbly requested time to deliberate (*humiliter supplicavit quod ipse possit deliberare*) and then answer. Which he did in a very short time, and was Sworn of the King's Council in the Form following:

[1] *Ibm. n. 4.*
[2] *Ibm.* this number only in French upon the Roll.

He requested the Earl to be Chief of his Council.

[3] *Ibm.*
The Earl complies upon such Terms as he might Govern the Kingdom.

Whereas our Lord [1] King Edward, by the Grace of God King of England, hath, with the Prelates, Earls, and Barons of the Land, [2] *aveques Prelates, Countes, & Barons de son Terre*) in full Parlement requested his dear Cousin, Monsieur Thomas Earl of Lancaster, that he would be Chief of his Council, in all Great and Weighty Affairs touching himself and his Realm, with other Prelates, Earls, and Barons, which may between the King and himself take care, that he may be for the Profit of him and the Realm; The said Earl, for the great Love he had for his Lord the King, and for the Common Profit of the Kingdom, and the Ordinances [3] (*qil ad fur merci enterement Grante a teniz*) which he had upon favour entirely granted to observe, and the right Laws to maintain in all Points, and in hope to make Amendments in such things as had been ill done in his Court and the Estate of his Realm, did grant to be of the King's Council, with the Prelates, Earls, Barons; so as at the Hour the King shall not do according to his Directions, and others of his Council concerning the Matters of his Court and Kingdom; after such things have been shown him,

A

B

C

D

E

F

and he will not be Governed by the Council of him and others, the Earl, without Evil Will, Challenge, or Discontent, may be discharged from the Council; and that the Business of the Realm concerning him, shall not be done or performed, without the Assent of him and the other Prelates, Earls, and Barons, which shall be ordained, or appointed to advise him, [4] (*faunz Assent de luy & des autres Prelatz, Countes, & Barous qi de luy Conseiller ferront ordenetz*) And if any of the Prelates, Earls, and Barons, shall advise the King or do other thing which shall not be for the Profit of him and his Realm, then at the next Parlement, by the Advice of the King and his Friends, [5] (*solone lavisement noires Seigneur le Roy & le seon*) they shall be removed; and so it shall be from Parlement to Parlement, as to them and every of them, according to the Faults found in them. In Witness whereof, this Bill was to be entred on the Parlement-Roll; ceste Bille entre en Rouelle de Parlement. And then it follows,

[4] *Ibm.*[5] *Ibm.*

B

Billa [6] *predicta formam continens supra scriptam, liberata fuit Willielmo de Ayremin Clerico, &c.* The foresaid Bill containing the Form above written, was delivered to William Ayremin Cleric, by the hands of the Lords Walter of Norwich, and Bartholomew de Badlesmer, commanding the said William, by Order of the King, to inroll it Word for Word.

[6] *Ibm.*
The Instrument by which he was made Chief of the Council, entred upon the Parliament-Roll [7] *Ret. Scot. Ed. 2. M. 6.*

C

Over the Army above-mentioned, raised by the Parlement against the Scots, the Earl of Lancaster was made [7] General, and the King's Lieutenant in Scotland; but what great things he did with this Army, or by his Lieutenantcy, it appears not in any History I have met with.

The Earl of Lancaster made General of the Army against the Scots, and Lieutenant of Scotland.

D

Next Year the Pope sent two [8] Cardinals into England, Garselin by the Title of the Saints Marcellin, and Peter Priest Cardinal, and Lucas by the Title of St. Mary in the Broad-way, Deacon Cardinal [9] to make Peace between the Two Kingdoms of England and Scotland, and reconcile the Earl of Lancaster to the King. [1] Sir Tho. de la Moor says, they were made Friends in a Plain near Leicester, and that they embraced and kissed each other. [2] Walsingham says, Peace was made between them upon certain Conditions; and that not long after the King unjustly brake them. They [3] both say, these Cardinals brought with them the Pope's Bulls, by which they Excommunicated Robert Brus, and put the Kingdom of Scotland under Interdict, for their Defection from, and Disobedience to the King of England, unless he and they submitted to him.

[8] *Ret. Glou. 10. Edm. II. M. 2. A. D. 1317.*
Two Cardinals sent to make Peace between Engl. and Scotland. [1] 159 4. r. 50 and the King and E. of Lanc. [2] f. 110. n. 20.

E

This Year [4] de la Moor says Robert Brus manfully and by force took Berwick, killing none that would yield. [5] Walsingham reports it was betrayed by the Governour Peter Spalding, and sold to the Scots, to the great Disturbance of the King.

[3] *Walsf. f. 105. n. 20.*
[4] *E. 111. n. 40. d. la Moor, ut supra.*
They Excommunicate Rob. Brus, and put Scotland under Interdict. [5] *Ibm.*
[6] *E. 111. n. 50. A. D. 1318.*

F

Neither King nor Kingdom of Scotland valued much this Excommunication and Interdict, or at least Robert Brus's Friends, or those of his Party, never considered or regarded it; for in the 11th of this King, the Year following, he summoned a Parlement to meet on the morrow of Holy Trinity at Lincoln,

Neither Rob. Brus nor the Kingdom of Scotland valued the Excommunication or Interdict.

[6] *Ror. Claus.*
11 Ed. II. M.
3. Dur.
The Scots in-
vade England.

[6] which he revoked for this reason, That his Enemies and Rebels the Scots had invaded England, and come into *Yorkshire*, committing many Murders, Plundering, Wasting, and Burning the Country, so as he resolved suddenly to march against them with an Army to restrain their Incurfions, and bring them to a Submission; and therefore the Parlement not to meet.

[7] *De la Mer,*
f. 195. l. 1. &c.
The King be-
sieged *Berwick*.
[8] *Ibm.*
f. 112. n. 20,
30.

According to this Resolution, in Autumn this year [7] the King marched with a great Army to besiege *Berwick*, the Scots on the other side of the Country invaded England, spoiling, wasting, and burning, as far as *Tork*, [8] which caused the King to raise the Siege of *Berwick*, and consented to a Truce for Two years.

A Truce with
the Scots for
Two years.
[9] *Append.*
a. 61.

In the Twelfth of this King, the Earl of *Lancaster* Governed and Directed all things; [9] To him certain Prelates, Earls, and Barons, by the Will of the King, and Assent of many Great Men of the Realm, and others of the King's Council, being then at *Northampton*, went to Discourse, and Treat about the Honour and Profit of the King, and Realm; and it was agreed between them, That Bishops, Earls, and Barons should remain with him, to Advise him in such Matters as concerned him until his next Parlement; and concerning this and other Matters an Indenture was made in the Form following.

[1] *Ibm.*
The Indenture of A-
greement be-
tween the
King, the
Earl of *Lan-*
caster, and o-
ther Great
Men.

This [1] Indenture Witneseth, That the Honourable Fathers, the Arch-Bishop of *Dublin*, the Bishops of *Ely*, *Norwich*, and *Chichester*, the Earls of *Pembroke*, and *Arundel*, Monsieur *Roger de Mortimer*, Monsieur *John Somery*, Sir *Bartholomew de Badlesmere*, Monsieur *Ralph Basset*, and Monsieur *John Botetourt*, by the Will and Assent of the King, have Discoursed with the Earl of *Lancaster* concerning the things touching the Profit of himself and the Realm in the Form following; To wit, That the Bishops of *Norwich*, *Chichester*, *Ely*, *Salisbury*, *St. Davids*, *Carlisle*, *Hereford*, and *Worcester*, the Earls of *Pembroke*, *Richmond*, *Hereford*, and *Arundel*, Sir *Hugh de Courteny*, Sir *Roger de Mortimer*, Sir *John de Segrave*, Sir *John de Grey*, and one of the Banerets of the Earl of *Lancaster*, which he shall Name, should remain with the King for one quarter of a year until the next Parlement, and that Two Bishops, One Earl, One Baron, and One Baneret of the Earl of *Lancaster*, at least, should always be with him, and that all considerable Matters that might or ought to be done out of Parlement, should be done by their Assent, otherwise to be void, and amended in Parlement by the Award of the Peers; and such as should remain with the King Quarterly, shall be chosen and assigned out of them, and others in Parlement, to Advise the King as afore said. And the above-said Prelates, Earls, and Barons, by the Will and Assent of the King, undertook, That he should Release and Acquit the Earl of *Lancaster*, (les gentz, & les meignes) his People, Followers, or Retinue, or as now those of his Party, of all manner of Felonies and Trespasses against the Peace, until the day of *St. James* this year; and that the Charters of Release and Acquittance should be plain and absolute without Condition, and if better Security for them might be found at the next Parlement, they should have it, and there Confirmed by the King and his Baronage. And the Earl of *Lancaster* granted, That he would

would make Releases and Acquittances to all those that on behalf of the King should demand them, of Trespasses done to his Person, as soon as the things afore said should be Confirmed; nor that he would bring Suit of Felony against any one, from the time they had his Letters, saving to him all Plaints, Actions, and Suits, which he had against the Earl of *Warren*, and all those that were assenting and aiding to the Felonies and Trespasses which the Earl had committed against him, against the King's Peace. And that the Ordinances be kept and observed, as they are under the King's Great Seal. And that these things above said should be performed, and kept in all Points. The Honourable Fathers in God the Arch-Bishops of *Canterbury* and *Dublin*, the Bishops of *Norwich*, *Ely*, *Chichester*, *Salisbury*, *Chester* or *Litchfield*, *Hereford*, and *Worcester*, the Earls *Marthal*, *Edmond* his Brother, the Earls of *Richmond*, *Hereford*, *Ulster*, *Arundel* and *Anegos*, Sir *Roger de Mortimer*, Sir *John de Somery*, Sir *John de Hastings*, Sir *John de Segrave*, Sir *Henry de Beaumont*, Sir *Hugh le Despenser* le fuiz, Sir *John de Grey*, Sir *Richard de Grey*, Sir *Bartholomew de Badlesmere*, Sir *Robert de Mohant*, Sir *Ralph Basset*, Sir *Walter de Norwich*, have undertaken by the Will and Assent of the King. In Witnes whereof the Prelates, Earls, and Barons afore said, have put their Seals to one part of this Indenture, and the Earl of *Lancaster* hath put his Seal to the other; Written at *Leek* (whether in *Staffordshire*, *Warwickshire*, or *Yorkshire*, it appears not) the 9th day of August, in the 12th of King Edward. After this Indenture, in the same Record, we have an Account what was done in the succeeding Parlement concerning the Contents of it.

And now at the [2] beginning of this Parlement [3] summoned on the 25th of August to meet at *York* three weeks after *Michaelmas*, this Indenture was read, in the presence of all assembled in the Parlement, and all things in it diligently considered, the Prelates, Earls, and Barons agreed to Pray and Request the King for the Honour of himself, and the Profit of him and the Realm, That for the great Business that concern him, and do happen from day to day, he would please to assent, That Two Bishops, One Earl, One Baron, and One Baron or Baneret, of the Family of the Earl of *Lancaster*, in his Name, and for him, should be present and remain with him by Quarters of the year, to Deliberate with, and Advise him in due manner, and that they might Deliberate and Advise about all considerable Matters out of Parlement, until a Parlement should otherwise Determine concerning them; and so as nothing of these things should be Debated without the Counsel and Assent of the Prelates, Earls, and others which remained with the King according to the Form of the said Indenture; and if any thing was done otherwise, it should be void, according to the same Indenture.

The King understanding this Request, and desiring to be Advised, by all ways which may or ought to make for the Honour and Profit of him and his Realm, and considering that when he received the Government, he found *Scotland* in War against him, and since that there hath been War in *Ireland*, and many other Disturbances have happened in his Dominions, for which

A. D. 1319.

[1] *Ibm.*
[3] *Ror. Claus.*
12 Edw. II.
M. 28. in sec.
dula.

The Request
of the Pre-
lates, Earls,
and Barons,
made to the
King in Par-
lement.

The Parle-
ment is for
Proceeding
according to
the Indenture.

The King's
answer is.

he

he thought it necessary to have with him the greatest and most sufficient Advice, he did agree, and willed to have Prelates, Earls, and Barons, to advise him in the Form aforesaid; and so as his Ministers should always perform their Offices, according to the Law and Usage of the Kingdom.

And whereas it was contained in the Indenture, That the Prelates, Earls, and Barons there named, had undertaken, by the Assent of the King, That he should make, to the Earl of Lancaster, his People or Party and Followers, Releases and Acquittances of all manner of Felonies, and Trespases against his Peace, until the day of St. James this year, and that the Charters of Release and Acquittances should be absolute, without Condition, and if better Security could be found for them in the next Parliament, they should have it, and also confirmed by the King and his Baronage.

The King by Assent of the Prelates, Earls, Barons, and Commonalty of his Realm in his said Parliament, granted Pardon to the Earl of Lancaster, and his Followers, of the Suit of his Peace, and whatever belonged to him by reason thereof, of all manner of Felonies, and Trespases committed against the Peace unto the 7th day of August last past, and Pardon of Outlawry to those that should demand it, if any had been pronounced against them, before the making of their Charters; And Commanded the Bishop of Ely, then his Chancellor, That he should make Charters under his great Seal absolute, and without Condition, for the Earl of Lancaster, and such as he should by his Letters Name to the Chancellor.

Also, whereas in the same Indenture it was contained, That the Ordinances should be Holden and Kept as they had passed the Great Seal, the King Willed and Granted, that they should be so kept, and that all these things should be written upon the Parliament Roll, and sent to the Chancery to be inrolled there, and from thence to both Benchers to be inrolled there.

By the [4] Award against the Despensers it appears, that Hugh the Son, was named and agreed to be the King's Chamberlain in this Parliament; De la Moor says, in the same year, (i. e. 12th of Edw. II.) he was made Chamberlain by the Consent of the Prelates, and others, because they knew the King hated him, yet he by Prudence and Obsequiousness, soon changed his mind, and obtained his Affection, when they persecuted him with the greatest Hatred. [5] *Anno igitur sequenti, Prelatorum consensu & aliorum quorundam Hugo Despensers filius constitutus est Regis Camerarius, quem eo libentius in hunc locum promoverunt, quia cum Regi Exosum Cognoverunt. At vero in prudentia & obsequio, haud multo post disrepto Regis animo, eum in sui amorem facile Commutavit, unde & illi odio eum vel maximo persecuti sunt.* Then [6] speaking of his Father, he Reports him to be a Person of great Integrity, Wife in Counsel, Stout in Arms, whose Confusion and Ignominious End was caused by his Inordinate Love towards his Son, a Person of a Brave Presence, Proud Spirit, and Wicked Life, causing by

He Pardons the Earl of Lancaster, &c.

And granted the Ordinances should be kept.

[4] Clauf. 15 Edw. II. M. 14. Duf. in edula. Hugh Despensers the Son, the King's Chamberlain.

[c] F. 594. lin. 5. The Character of the Despensers, Father and Son.

[6] Ibid. 2nd n. 10.

by his Ambition and Covetousness, Widows and Orphans to be Disinherited, and Noblemen to be put to Death, by which he hastened his own, and his Father's Destruction. These are the short Characters given of both the Despensers, by this Historian, and a brief Account how the Son came to be Chamberlain. In the year following, I have not read or seen any thing worth noting.

In the 14th of this King, William de Braiosa, a Baron in the Marches of Wales, and a Spend-thrift, who propounded to sell part of his Estate called Gowerland, that descended to him by Inheritance, to several Lords; The Earl of [7] Hereford, because it was nigh his Lands, agreed with him for it; The Two Roger [8] Mortimers, because it lay near their Lands, thought it convenient for them, and knowing nothing of his former Bargain, agreed with him also for the Land; The Lord John [9] Mowbray, who had Married his only Daughter and Heir, thought himself sure of it by Inheritance. [1] This Land held of the King in Capite, and could not be sold without the King's License, and lying on every side next the Lands of Hugh Despensers the Son, then his Chamberlain, he obtained Leave of the King to Purchase it; and then bought it of the Owner. [2] This so provoked these Barons, and especially the Earl of Hereford, that he Complained of the Injury done him to Thomas Earl of Lancaster; and they Two drawing a great number of the Barons to them, made a Confederacy to live and dye for Justice, and destroy Traytors, and especially both the Hugh Despensers, Father and Son.

In pursuance of this Confederacy, the Earl of Hereford, the Barons there named, Monsieur Roger de Mortimer, the Nephew and the Uncle, Monsieur Roger Damory, Monsieur John de Mowbray, Monsieur Hugh de Audeley, the Father and the Son, Monsieur Roger de Clifford, Monsieur John Giffard de Brimmesfield, Monsieur Morice de Berkeley, Monsieur Hen. de Tyer, Monsieur John Maltravers, and many others of that Alliance, on the Feast of the Invention of Holy Cross, or 3d of May, entered into the Lands of Hugh the Younger in Wales (while he was with the King doing his Office as Chamberlain) by Force and Arms, and killed [3] some of his Servants and Tenants, others they kept in Prison, and some they suffered to be Ransomed; burnt, pulled down, destroyed, or defaced all his Houses, and Castles, and took and carried away the Goods of all forts which they found upon his Lands, or in his Houses and Castles, to a very great value. [4] From hence they rambled up and down the Country, and went into Gloucestershire, Wiltshire, Hampshire, and all Counties, where Hugh the Father had Lands, and begun their Work on Barnaby-day, or 11th of June, at his Mannor of Fafern in Wiltshire, and in all his Lands, Houses, and Castles, and in all things behaved themselves as they had done in those of the Son.

When they had done these Mischiefs, they marched to Sherborn in Dorsetshire, where was at that time Thomas Earl of Lancaster, whose the Castle was, and others, and on Sunday after Mid-

Walingsh. Hist. f. 113. n. 20. The reason of the Discontent of some Barons, [7] Ibid. [8] Ibid. n. 30.

[9] Ibid.

[1] Ibid. n. 40.

[2] Ibid. n. 40, 50.

A Confederacy between the Earl of Lancaster, and a great number of Barons against the Despensers. See the Revocation and Annulment of the Process and Award against the Two Spencers, here following.

The Barons Kill and Imprison the Tenants and Servants of the Despensers.

[3] Ibid. They burn, pull down, and destroy their Houses and Castles. [4] Ibid. They carry away their Goods of all forts.

And enter into a Confederacy.

Midsummer-day they entred into a new, or confirmed the old Confederacy.

A. D. 1320.

The Confederacy of the Earls and Barons against Hugh and Hugh le Despenser.

From the French Copy in the Register of Christ Church, Canterbury, C. 242.

Note, That the Addition of Monsieur is put before every of these Names.

Here also the same Addition is put before every of their Names in the French Copy.

This Indenture Witnesseth, That on the Sunday next after the Feast of St. John Baptiste, in the 14th Year of the King at Sherborn in Elemede, in the presence of the Arch-Bishop of York, the Bishops of Durham and Carlisle, the Earls of Lancaster and Aeneas, it was considered, That Hugh le Despenser, the Father and the Son, had ill counselled and moved the King, to the Dishonour and Damage of him and of his Kingdom; and having heard and understood the Reasons of the Earl of Hereford, Roger de Mortimer the Nephew and Uncle, Hugh de Audely the Father and Son, Roger Damory, John de Mowbray, Maurice de Berkeley, Roger de Clifford, Henry de Teys, John Giffard, Thomas Mauduit, Gilbert Talbot, and other Great Men, and others of the Marches (i. e. of Wales) And notice of Information having been given to the Earls of Lancaster and Aeneas, Monsieur Robert de Holland, Fonk de Estrange, Stephen de Segrave, William le Latimer, John Devery, John de Harrington, Adam de Swinington, William de Kyme, Marmaduke de Tweng, Richard Walleyes, Robert Pierpoint, Ranulph Dacre, Edmund Deyncourt, Thomas Willeby, William de Penington, Ralph de Nevill, Giles de Trumpynton, John de Beker, Adam de Hodeleston, Michael de Haverington, Adam de Everingham, William Truffel, Robert de Rigate, Robert de Richer, John de Clifford, Henry de Bradbourn, Nicholas de Langeford, John de Brekeworth, Thomas Wycher, John de Cliff, Thomas de Longuevillers, Edmund de Nevill, Gasselin Daniel: That the Earl of Hereford, Monsieur Roger de Mortimer, and other Great Men of the Marches, and others above-named, have begun Quarrels and Complaints against Monsieur Hugh the Father and Son; and that 'tis done to the Honour of God, the Honour and Profit of the King and of his Kingdom. And it seemed to them all, that the Oppressions could not be taken off from the People, until they had Hugh the Father and Son in their possession, or they were banished: And it was with one Assent of them all there, whoever they were, That the Quarrels or Complaints before named, should be maintained to the Honour of God and of Holy Church, to the Profit of the King, the Queen, and their Children, and the Safety of the Crown and People. And so as the Earl of Lancaster and other Great Men which began this Quarrel will maintain it, so the Earl of Aeneas, and all named after him, with them will maintain it with all their Power. And whenever the Earl of Lancaster and other Great Men shall leave the Quarrel, the Earl of Aeneas, and all those named after him, may leave it, without being accused or questioned for it. And to maintain these things, the Earls of Aeneas and all others after him, put to their Seals. This was the part of the Indenture Agreed and Sealed to by the Earl of Aeneas.

From whence they march to St. Albans, plundering Victuals every where in their March, and oppressing the Poor. [5] *Per viam diripientes ubique Victualia & Pauperes Terræ Gravantes; from whence they sent the Bishops of London, Salisbury, Ely, Hereford, and*

and Chichester (then at St. Albans to make Peace) to the King at London; not only to send Hugh and Hugh the Two Traitors from his Court, but also out of the Kingdom. The King's Answer was, That Hugh the Father was beyond Sea in his Service, and Hugh the Son was at Sea for the Guarding of the Cinque-Ports according to his Duty; and that according to Right and Custom, they ought not to be Banished without answering for themselves.

The King had [6] summoned a Parlement on the 15th of May, to meet three Weeks after Midsummer, or the 15th of July, at Westminster. The Barons, upon the receipt of the King's Answer, go to London with Horse and Arms, notwithstanding the King had commanded them to come to the Parlement in due manner; there they held a Council by themselves, and came not to Westminster as they were summoned, but remained in London with Horse and Arms 15 days after the King had begun and holden his Parlement, when they made the Award against the Two Spencers, and concealed it from the King, who knew nothing of it, until the Hour they came with it to Westminster with Force and Arms, so as the King could not hinder the passing of it, which was to this effect:

'To the Honour of God and Holy Church, and of our Lord the King, for the Profit of him and his Realm, and to maintain Peace amongst his People and the Estate of the Crown, the Prelates, Earls, Barons, and other Peers of the Land and Communes of the Realm, do shew against Sir Hugh le Despenser, Father and Son, That whereas Sir Hugh the Son at the Parlement at York [7] was Named, and it was there Agreed he should be Chamberlain to the King; in which Parlement it was Agreed, That certain Prelates and other Great Men should be with the King by turns, at several Seasons of the Year, the better to advise him, without whom no great Business ought to pass. The said Sir Hugh the Son, drawing to him his Father, who was not by Order of Parlement to be near the King, or to be one of those Counsellors, between them both have usurped Royal Power over the King and his Ministers, and the Government of the Kingdom, to the Dishonour of the King, the Injury of the Crown, and Destruction of the Kingdom, Great Men, and People; and have done the Wickednesses under-written, in contriving to turn the Heart of the King from the Peers of the Land, that they may have the sole Government thereof.

1. 'That Sir Hugh the Son made a Bill or Writing, whereby he would have had Sir John Gifford of Brimmesfield, Sir Richard de Greye, and others, entred into a Confederacy to have forced the King to do what he would have him; and had almost done it. The Tenour of the Bill is under written.

2. 'Homage and the Oath of Allegiance is more by reason of the Crown than of the Person of the King, and bound him more to the Crown than the Person; and this appeared, for that before the Crown descends, there is no Allegiance due

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The Barons come to St. Albans, and send 5 Bishops to the King to Banish the 2 Spencers. The King's Answer to the Bishops.

[6] Rot. Claus. M. 5. Dors. 14. Ed. II. He summons a Parlement. The Barons came to London with Horse and Arms; And keep a Council by themselves, & come not to the Parlement at Westminster. And then made the Award against the Despencers, as appears by the Revocation, as above. The Award made by the Barons against the Spencers. [7] 3 Weeks after Michaelmas. Claus. 12 Ed. II. M. 28, in cedula.

[8] Rot. Hiss. 114. a. 10. 20. 30. 40.

to the Person Expectant. Wherefore in case the King carries not himself by Reason, in Right of the Crown, his Lieges are bound by Oath made to the Crown to remove the King and the State of the Crown by Reason; and otherwise the Oath ought not to be kept. Then it was demanded, whether the King was to be dealt with by Suit of Law, or by Rigour (*par Suit de Loy ou par Aspertee*;) By Suit of Law it could not be, for he had no Judge. In which case, if the King's will be not according to Reason, and that he maintains nothing but Errour; therefore to save their Oath, and when the King will not redress what is injurious to the People, they must proceed with Rigour; for he is bound by Oath to Govern his Lieges, and his Lieges are bound to Govern in Aid of him, and in Default of him.

3. Also upon the Application of the Great Men and People unto him, his Answer was according to the Pleasure of these Two, in turning the King from his Duty against his Oath, and the Hearts of the Great Men and People against their Liege Lord.

4. Also by their evil Contrivance, they will not suffer the Great Men of the Realm nor Good Counsellors to speak with, or come near the King to advise him, nor the King to speak to them, unless in their presence and hearing, or of one of them, and when they please; they usurping Royal Power and Sovereignty over the Person of the King, to the great Dishonour and Peril of him, the Crown, and the Kingdom.

5. Also to attain to their Wickedness, Covetousness, and Disinheriting the Great Men, and Destruction of the People, they put out Good and Agreeable Ministers placed by Assent, and put in others False and Wicked of their Party, who will not suffer Right to be done as Sheriffs, Escheators, Constables of Castles, and make Justices not understanding the Law, as Sir Hugh the Father, Sir Ralph Basset, Sir Ralph Camois, and Sir John Inge, and others their Friends; who caused to be indicted, by false Jurors of their Alliance, the Peers of the Land, as the Earl of Hereford, Monsieur Giffard of Brimmesfield, and Monsieur Robert de Monshall, and other good People, to get their Lands.

6. Also they falsely and maliciously advised the King to raise Arms against his People in Gloucestershire, contrary to the Great Charter, and the Award of the Peers of the Land, and by their false and evil Counsel, would have made War in the Land for their own proper Quarrel, to the Destruction of Holy Church and the People.

7. Also whereas the Earl of Hereford, and the Lord of Wigmore (*i.e. Mortimer*) by the King's Command were assigned to make War upon Llewellyn Bren, who had levied War against him in Glamorganshire, when the Earl of Gloucester's Lands, by reason of his Death, were in the King's hand; and Llewellyn had rendered

himself into the Lords hands to the King's Grace and Pleasure, and upon that Condition delivered him to the King, who received him accordingly; but when these Lords were out of the Country, these Two, the Father and Son, usurping Royal Power, took Llewellyn, and carried him to Cardiff, after that Sir Hugh the Younger was seized thereof (as of his Share of the Earl of Gloucester's Estate, one of whose Daughters and Heirs he had married) pretending to a Jurisdiction, where none was in this case; and there caused him to be Drawn, Hanged, Beheaded, and Quartered, feloniously for things done in the time of King Henry: And also took upon them Royal Power and Jurisdiction, which was appendant to the Crown, in Disinheritance of the Crown, and Dishonour of the King, the said Lords of Hereford and Mortimer, and in ill Example and great Peril in the like case in time to come.

8. Also they ill advised the King to take into his hands the Lands and Goods of Sir Hugh Audely the Son, who was forejudged without due Process, contrary to the Law of the Land, by the Covetousness of the said Hugh to get some of those Lands; and by other false Compassments contrived to have the Lands of Sir Roger Dammore, and for having him attainted for entering into Gloucestershire, in Disinheritance of the Peers of the Land.

9. Also that whereas the King had granted by his Letters Patents to the Earl of Warwick in full Parliament at Westminster, That after his Death his Executors should have his Lands until his Heir was of Age; which Grant, after the Earl's Death, was confirmed by the King at Lincoln, at the Request and Assent of the Peers of the Land in Parliament, the said Sir Hugh the Father procured his Son to cause the King to repeal this Grant without cause, and to give to the said Hugh the Father, for his own Profit, the Guard of those Lands; and also had defeated by evil Counsel what the King had granted in his Parliaments by good Advice, and by Assent of the Peers of the Land, to the Dishonour of the King, and against Right and Reason.

10. Also, that they would not suffer the King to take reasonable Fines of the Peers of the Land and others, when they entered and received their Fees, as it had been used before that time: But by Coverousness, to get such Lands by the Royal Power they had gained, they caused undue Impeachments to be brought, surmising the Land was forfeit, as of Sir John de Monbray for the Lands of Gower, and of others, to the Damage and Dishonour of the King, and contrary to the Law of the Land, in Disinheritance of the Great Men and others. Also making the King do against his Oath in Parliament.

11. Also by wicked Covetousness and Power Royal they will not suffer the King to hear or do Right to the Great Men, upon what they presented to him, for himself and themselves touching the Disinheriting the Crown and them touching the Lands which were the Templers. Also by Usurped Power Royal they

[5] *Ibm.* f. 115. lin. 2. *Or.*
The Queen
denied En-
trance into
Lech Castle
Kent.
The Garrison
deny to ren-
der it to the K.
[6] *Ibm.* n. 16.

He besiegeth
and takes it,
puts the Go-
vernor to
Death, and
many of the
Warders.

[7] F. 95. n.
30. 40.
A. D. 1321.
15 Ed. II.
The Barons
came to Re-
lieve the Cas-
tle.
And sent to
the King to
raise the Siege,
who would
not.
They march
into other
Parts of the
Kingdom
with their
Army.
[8] Revoca-
tion, *ut supra*.
Sir Thomas de
la Moor, *ut
supra* n. 50.
The Banish-
ment of the
Spears re-
vok'd.

[9] *Walsingh.*
Hystor. Newt.
f. 504. n. 40.

De la Moor, *ut
supra*.
A. D. 1322.
15 Ed. II.
The King in-
creased his
Army, and
marched a-
gainst the Ba-
rons.
[1] *Ibm.*
The Earls of
Hereford and
Lancaster join
their Forces.

self and Family; He is denied Entrance, with a [5] Sawey Re-
turn from the Guard within, *That they would not suffer the Queen,
or any other, to enter there, without Command or Letters from the Lord
of it.* She came her self, and demanded Entrance into the Castle,
and was denied, and forced to seek Lodgings other where. When
she returned to the King, and complained to him of the Affront
offered to her, he was very Angry, and having drawn together
many Thousands of Armed Men, with many Londoners, [6] A
came Personallly to the Castle, commanding the Garrison to ren-
der it to him; They Refuse to obey the King's Command, he
straightly Besieges them; They hold out so long as they had Vi-
tuals, and when they could not longer hold out they deliver the
Castle. Thomas Colepeper the Governor of it, was Drawn and
Hang'd for his Rebellion against the King, (*Thomas Colepeper custos
castris, qui temerat Castrum contra Regem, trahitur & suspensus est.*) B
The Women found there were sent to the Tower of London, and
many of the Warders or Servants put to Death.

Sir Thomas de la Moor tells us, it was about [7] Michaelmas, that
the Queen demanded Entrance into the Castle, that she might Lodge
there, and after a Months Siege, the Barons with their Forces
came to Kingston upon Thames, on the Vigil of the Apostles Si-
mon and Jude, or 27th of October, in hopes to Relieve it, from
whence they sent the Archbishop of Canterbury, the Bishop of London, C
and Earl of Pembroke, to the King to raise the Siege; promising
him after the next Parliament, to deliver the Castle into his Hands,
He not granting their Desires, they marched into other Parts
of the Kingdom, and the Castle in a very short time was Surren-
der'd.

In December following, Hugh Despenser the Younger, [8] D
applied himself to the King for the Repeal of his Exile, who com-
mitted him to Prison, and sent his Petition to the Archbishop of
Canterbury, the other Bishops and Clergy, being then in a Provincial
Synod at London, to advise about, and give him their Sense upon it,
who Judged the Award, as to the Exile and Disinheritance, Er-
roneous, against Right, and obtain'd by Force, without their
Consent, as Peers of the Land, and therefore adviced, and prayed
the King to Repeal, and make it null for Ever; which was done,
and the King granted him his Protection and safe Conduct, for
his Person and Estate, by his Letters Patents, Dated at Westmin-
ster, the 8th of December in the 15th of his Reign. E

The King kept his Christmas [9] at Cirencester in Gloucestershire,
where Hugh Despenser, and others persuaded him to increase his
Army, and march against the Barons; He did so, and went into
the Marches of Wales, and left Gloucester, which was possessed by
the Barons, and passing by Worcester, went to Bridgnorth, and took
in that Castle; while he was in Shropshire both the Mortimers sub-
mitted themselves, and were sent to the Tower of London. Ma-
rice de Berkeley, and Hugh Audeley, Senior, fell into the King's
Hands, and were sent to Wallingford-Castle, [1] F
The Earl of Hereford and his Adherents marched toward the North, to join the
Earl of Lancaster who expected them. The King marched after
them,

them, and comes to Burton upon Trent, where the Earl of Lan-
caster had joined them; They hinder the King's Passage over the
Trent by the Bridge there three Days, and Killed some of the
King's Men and Servants, so as the King was forced to find ano-
ther way over the Trent, and marched toward them in the Town,
which when they saw, they Fired the Town, and marched into
the Field, to give the King Battel; but perceiving the King
coming toward them, with a great Force, superior to them in
Number and Courage, the Earl of Lancaster with his Confederates
fled Northward with their Army, and made Great Depredations
and Robberies in their way; the King pursues them to Burgh-
Bridge, then marching toward their Friends and Allies the Scots;
where they were stoppt, by Forces brought from Carlisle by Sir An-
drew Harclay, and others from York by Sir Simon Ward; in for-
cing his Way over the Bridge, the Earl of Hereford was Killed,
the Earl of Lancaster not being able to bear the shock of the Bat-
tel, nor to fly any way, was taken by Sir Andrew Harclay, and
many other Barons, Bannerets, and Knights, to the Number of [2]
Ninety Five.

The Earl of Lancaster was sent to Pontfract, where on Monday
before the Annunciation of the Blessed Virgin, or 22d of March, he
was impeached before the King for divers Treasons, Murders, Burn-
ings, Depredations, and other Felonies, in the Presence of Edmond
Earl of Kent, John Earl of Richmond, Adomar de Valentia Earl of
Pembroke, John de Waverham Earl of Surrey, Edmund Earl of Arundel,
David Earl of Athol, Robert Earl of Arques, and other great
Men of the Kingdom, by whom he was adjudged to be Drawn,
Hang'd, and Beheaded, which then were accounted three distinct
Punishments. Two whereof for the Greatness of his Bloud and
Family the King pardoned, so as he was only Beheaded. This
Impeachment and Judgment was Recorded in Chancery, in the 15th
of this King, under the Title of Pleas of the Crown, and was
brought into the first Parlement of Edward III. at Westminster, by
Henry Earl of Lancaster his Brother, for the Revocation thereof,
in which Revocation that whole Record is recited, and many of
the Practices, of Earl Thomas, the Confederacy between him, the
Earl of Hereford, and their Adherents, with Robert Brus, Thomas
Randolph Earl of Murray, and James Douglas, Two of the greatest
Managers of the Scots Affairs at that time, and others, concerning
mutual Assistance and Defence, and the Ingratitude of this great Earl
toward the King, are declared; for which Revocation see the
Appendix, N. 62.

By the same Judgment, and for the same Crimes suffered these
Barons, [3] Warin Lisle, William Toket, Thomas Manduit, Henry de
Bradborn, William Fitz-William, William Cheyny, Roger Clifford,
John de Mowbray, Gocelin Denywill, Henry Teyes, and Bartholomew
de Badlesmer who was beheaded at Canterbury, only Roger de Danory,
died of his Natural Death.

The Prior and Monks of Pontfract obtained the Body of Thomas
Earl of Lancaster, and Buried it in their Church, on the Right
Hand of the High Altar, whither came a great number of People,
Pilgrims,

The Scots
Friends and
Allies to the
Earls.
The Earl of
Hereford killed
at Burgh-
Bridge.
The Earl of
Lancaster taken
there.
[2] De la Moor,
f. 596. n. 10.

On Lady-day
this Year
1322. was on
Thursday.
The Earl of
Lancaster im-
peached of
Treason, &c.

Adjudged to
be Drawn,
Hang'd, and
Beheaded.

The Confede-
racy of the E.
of Lancaster,
&c. with Ro-
bert Brus King
of Scots, &c.

N. 62.

[3] *Walsingh.*
History, f. 116
n. 30. 40. 50.
The Barons
that suffered
for the same
Crimes with
the Earl of
Lancaster.

Liters F. Vol.
63. Book 7.
Capitula 101.

The Miracles
said to be
done by the
Earl of Lan-
caster.

A Blind Priest
restored to his
Sight.

A Dead Child
restored to
Life.

Men out of
their Wits re-
stored to
them.

Cripples,
Crooked,
Blind, and Sick
Cured and
Healed.

A Man whose
Flesh rotted
from his Side
and Shank,
cured, and his
Flesh restored.

*Pilgrims, and Others, to Offer and Pray at his Tomb, really be-
lieving the Miracles, and great Cures of Diseases that were reported
to be done by him, a Specimen whereof I shall give the Reader
from an English Chronicle in Corpus Christi College Library in Cam-
bridge, in the Sense and Language of those Times, it was wrote in.*

*Of the Miracles that GOD wroughte (wrought)
for Seint Thomas of Lancaster, wherefore the
King lete close (caused them to be shut) the Church
Dores of Pountfret of the Prioree, for (that) no
Man shall come therein to the Body for to Offren.*

And soon after that the Good Erl Thomas of Lancaster was Mar-
tered, a Preste that had long tyme ben blyende Dremed in his
slepyng, That he shuld gou unto the *Hull (Hill)* there that the
Good Erl Thomas of Lancaster was done unto Deth, and he shuld
have his *sight* agen, and so he Dremed iij Nightis seying, (three
Nights following) and the Preste, tho (then) let lese him to the
same Hulle, and when he come to that Place, that (where) he
was *Martered* on, *devoutly* he made there his *Prayers*, and prayed
God and *Sent Thomas* he mozte (might) have his *sight* agen, and
as he was at *Prayers* he layde his right Hond upon the same
Place that the good Man was *Martered*, and a Drop of dry Blode
and small Sonde cleved on his Honde, and therewith he *Streched*
his Een, (Eyes) and non thorug *might* of God and of *Sent Thomas*
of Lancaster, he had his *Sight* agen, and *thanked* the Almyte
God and *Sent Thomas*, and whenne this *Miracle* was *Cud* (known)
amonge Men, the People come there in every fide and knelede
and made hire (their) *Prayers* at his *Tombe*, that is in the *Priore*
of *Pountfret*; and prayed that *Holy Marter* of *Socor* and of *Helpe*,
and God herde hire Prayer.

Also there was a young Child *Drenchede* (Drowned) in a
Well in the *Town* of *Pountfret*, and was *ded iij Days and iij Nightis*,
and comen and layde the *ded Child* upon *Sent Thomas Tomb* the
Holy Marter, and the *Child aros there from Deth to Live*, as meny
a Man hit saw.

And also much People were out of hire *Mynde*, (out of their
Wits) and God hathe sent ham (them) hire *Mynde* agen, thor-
ug *Virtu* of that *Holy Marter*.

And also God hath given thereto *Criples* hire goyinge (Going)
and to *Croked* hire Hondys, and hire Feet, and to *Blyende* also
hire *Sight*, and to meny *Sike* (Sick) Folk hire hele (health)
that had diverse *Maladies*, for the *love* of his good *Marter*.

Also there was a *Riche Man* in *Conound* in *Gascoigne*, and such
a *Maladie* he had that as his right fide rote, and fell away fram
him, and Men migt se his *Livere*, and also his *Hert*, and so he
stank that onney (no) Men migt come neyre him, wherefore his
Friendes were for him *Wonder* forye; but at last as God wolde,
they

they prayed to *Sente Thomas* of *Lancaster*, that he wolde pray to al-
myte God for that *Personne*, and behighte (thought) to *go* to
Pountfret for to done hire *Pilgrimage*, and the Good Man soon
after slepte full softe, and *Dremed* that the *Marter Sent Thomas*
come unto him, and *anoynted* over all his seke *Body*, and there-
with the Good Man awoke and was *alle hole*, and his *Flesh* was
Restored agen, that byfore was *Rotede* and falle awaye, for which
Miracle the Good Man, and alle his *Friendes lovede* God and *Sente*
Thomas ever more after.

And also two Men have been heled there of the *Morraile*
(*Murrain* or *Plague*) thorug *help* of that *Holy Marter*, thoug that
Evele be hold incurable.

Whenne the *Spensers* herde that God dede *such Miracles* for his *Holy*
Marter, and they wolde beleve hit in no manere wyfe, but seide
opynlicke, That hit was great *Erfse*, such *Virtu* of him to be-
leve.

And whenne Sir *Hugh* the *Spenser* the Son saw alle this *Doying*,
(*Doing*) anon he send his *Messanger* fram *Pountfret*, That (where)
he Dwelled, to the King *Edward*, that tho was at *Graven* at *Skip-
tone*, (at *Skipton* upon *Craven*) for cause that the King shulde un-
done the *Pilgrimage*. And as the *Reband* (*Ribald*) that was
Messenger wente toward for to done this *Message*, he come by
the *Hulle* that this Good Man was done unto his *Deth*, and in
the same Place he made his *Ordure*, (*Eased* himself) and when
he had ydone he went toward the King, and stronge *flexe* (*Flux*)
come upon him er he come to *Tork*, and shedde all his *Bowels*
at his *Fundament*: So in the *Author*.

And when *Sire Hugh* the *Spenser* herd this *Tyding* fom *Del* he
was adrad (he was somewhat fearful) and thought to undo the
Pilgrimage, yf he migt be enye manere way, and to the King
went and said, that they shulde ben in grete *Slander* thorougout
all *Christendome* for the *Deth* of *Thomas* of *Lancaster*, yf that he
suffred the People done hire *Pilgrimage* at *Pountfret*, and so he
Counceiled the King that he commanded to close the *Chirche*
Dores of *Pountfret*, in the wch *Chyrche* the *Holy Marter Sent Tho-
mas* was *Entered*, (*Interred*) And thus they deden al *Froncheyse*
of *Holy Chyrche*, so that fourre yere after migte no *Pilgrimage*
come unto that *Holy Body*. And for *Encheison* (because) that the
Monks suffred Men and Women to *honor* that *holy Body* of *Sent*
Thomas the *Marter* thorug counceile of *Sir Hugh* the *Spenser* the
Sone, and thorug counceile also of *Master Robert Baldok* the *falle*
pelede (pilled) Clerke, that was the Kings *Chancelere* the King
concede (consented) that they shulde be *fette to hire *Wages*,
and lete make *Wardeyns* over her own good longe tyme, (and
sent a *Guard* upon them) and thorug comandment of the for-
saide *Sire Hugh* the *Spenser*, *fourteen Gascoignes* well armed kept
the *Hulle*† there that the Good Man *Sent Thomas* was done to *Deth*,

† When the People were shut out of the Friars Church, and a Guard set upon the Tomb,
they went to the Hill where he was put to Deth, and suffered there.

Two Men
cured of the
Plague.

The *Spensers*
affirmed it.
Herselfe to be-
lieve these
Miracles.

Spenser the
Son's Messen-
ger to the K.
shed his Bow-
els at his Fun-
dament.

The Church
Dores shut
where the E
of *Lancaster*
was buried, to
hinder *Pil-
grimes* to ho-
nor his *Body*.

* That is to
live upon
their own *Scrip-
pend*, *Salaries*
and *Income*,
and not to re-
ceive any *Of-
fices* or
Gifts, &c.

and biheveded, (beheaded) so that no Pilgrime migte come by that way; fulwel wende he (thought he) to haf by nome (taken away) Christis migte and his power, and the grete loofe (many) Meracles that he shewed for his Marter *Thomas* thorug all *Cristendome*.

And it was not at *Pontfract* only, that the People were affected and possessed with the Saintship and Miracles of this Earl, but in the Church of *St. Paul's* also in *London* they did the same things, which caused the King to write [4] to the Bishop and the Dean and Chapter, That he took it ill, that many of the People of God committed to their Charge, deceived by a Diabolical Cheat, foolishly coming to a Table in their Church, in which the Images of divers, and amongst the rest the Effigies of *Thomas* late Earl of *Lancaster* his Enemy and Rebel, was Painted and Worshipped, and Adored as a Holy Thing, affirming Miracles to be done there, to the Discredit of the whole Church, to the Disgrace of him and them, the manifest Danger of the People aforesaid, and pernicious Example of others; And that they knowing these Abuses, by connivance had permitted them to be done, yea, rather for Gain, and filthy Lucre sake, they had Dissembled in this Matter, therefore he Commanded, and firmly Injoined them, considering the Premisses, and that taking notice the Church was of his Patronage, and that the Bishop was by reason of Fealty sworn to him, to preserve his Honour, and to prevent his Disgrace, to forbid the People to come to the Table, to make Prayers and Oblations, or other things tending to Divine Worship, without the Authority of the Roman Church, as they ought by the Duty of their Offices, and knew belonged to them by Canonical Sanction. Witnes the King at *York* the 28th of June, in the 16th of his Reign.

But within a month after the King was Dethroned, and his Son at Fourteen years of Age placed in the Throne, the Pious Lady, his Queen, in her Son's Name, (for what Reasons may easily be guessed) [5] wrote to the Pope, extolling his glorious Virtues, and declaring what a Stout Champion he had been for the Liberty of Holy Church, and the Laws of the Land, and also how many Miracles had been wrought, and People healed, by Pious invocation upon him, and infinite Remedies granted to the great number of those that resorted to his Tomb, desiring Process might be made for Sainting of him; Dated at *London* the last day of February, in the First year of the Reign of *Edward III.* Her Messengers for Transacting this Affair, who went with this Letter, were *Walter Barle* Professor of Divinity, *William Trussell* Kt. and *Mr. John Thoresby* Clerk.

And the thought it not enough to have the Pupil Sainted, but would have the Tutor also * *Robert Winchelsey*, Arch-Bishop of *Canterbury*, inserted into the same Catalogue of Saints, and to that purpose wrote again to the Pope, in her Son's Name, about Eight days after, That he shined in Miracles, and had restored Health to innumerable Sick People, humbly and devoutly beseeching his Holiness, [6] that he would vouchsafe to insert into the

[4] Append.
n. 63.

The Earl of
Lancaster wor-
shipped in
St. Paul's,
London.

The King
writes to the
Bishop of
London, the
Dean and
Chapter, to
hinder it.

[5] Append.
n. 64.

The Queen
extolling the
Earl of *Lan-
caster's* stout
Behaviour for
Holy Church,
and his Mi-
racles, writes
to the Pope to
Saint him.
* He was made
Arch-Bishop
23d of Ed. I.
A. D. 1294.
and died the
12th of May,
6 Ed. II. 1313.
She also
writes to the
Pope to Saint
*Robert Winch-
elsey*, Arch-
Bishop of *Can-
terbury*, and
the Instructor
of *Lancaster*.
[6] Append.
n. 65.

venerable Catalogue of Saints so Pretious a Stone, rejected of Men, but Chosen of God; Dated at *Westminster* the 8th day of March, in the First of *Edward III.*

Toward the end of that month *Walter Reynold*, then Arch-Bishop of *Canterbury*, and the Bishops of his Province, [7] wrote to the Pope, moved by the Example of *Thomas* Earl of *Lancaster* of famous Memory, who had wrote to him before upon the same Subject, representing his Life to him, and what he had suffered and done for the Rights and Liberties of the Church, and sending him a few Miracles amongst innumerable others, that God had wrought for him, and upon Bended Knees humbly Supplicated his Holiness, that upon their Information he would Estimate, Diffine, Order, and Command what was further to be done in that Case, for the Honour and Glory of the Divine Name, and the wished for Exaltation of Catholick Faith. I find not that either of these Men were actually Sainted, and it may be supposed, the Pope considering how they had behaved themselves, could not think it fit, and void of Scandal, to Estimate, Diffine, Order, and Command their Saintships.

Nor was it the Sense of all Men in those times, that the Earl of *Lancaster* deserved it, as it is Reported by [8] *Ranulph Higden*, the Monk of *Chester*, who lived at the time. *De cnijs iri meritis* (saith the Monk) *an inter sanctos sit annumerandus, crebra in vulgo Disceptatio est, &c.* of which Man's Merits, (speaking of this Earl) there was much Dispute amongst the Vulgar, whether he was to be numbred among the Saints, some asserting he ought, for that he gave much in Alms, honoured the Religious, and contended to Death, as it seemed, (ut videbatur) in a just Quarrel. Others thought the contrary, That a Man who neglected his generous Wife, and defiled innumerable Women, (innumeras mulierculas pollut;) That put to Death such as did but lightly offend him, That cherished Renegado's from their Orders or Profession, and Transgressors of the Law, lest they might be punished by the Law; That committed all things to the Direction of his Secretary; That at the time of Contending to Death for the Maintaining of Justice, basely fled, ought not to be thought a Saint, especially when he was unwillingly taken, and suffered unwillingly. But what Money might do, or the Shadow of, or counterfeit Miracles then celebrated at the place where he was beheaded, what Issue they would have for the future, after Ages would see; Sed profecto oblationum dona, & miraculorum simulacra que in loco sue decapitationis in presentiarum celebrantur, qualem in posterum habebunt exitum, secula videbunt post futura.

However it was, the Queen was not only pleased to have him a Saint, but there must be a Chappel built upon [9] the Hill where he was put to Death, to which purpose there was an Accord made between the Prior and Convent, Parsons of the Church of *Pontfract*, and the Burgeses of the same Town, before the King, Queen, and *Henry* Earl of *Lancaster*, Brother to *Thomas*, That *John de Tyre*, an Hermit, abiding upon the Hill where the Noble Earl of *Lancaster* was put to Death, should procure

[7] Hist. sacra.
Vol. 1. f. 173.
The Arch-
Bishop of *Ca-
nterbury*, *Walter
Reynold*, and
the Bishops of
his Province,
write to the
Pope to the
same purpose.

[8] Lib. 7.
Cap. 42.
*Ranulph Hig-
den's* Report
of the Earl of
Lancaster.

His seeming
Virtues.

His Crimes,
and Cha-
racter.

[9] Append.
n. 66.
The Queen,
&c. contrives
a Chappel to
be built on the
Hill and Place
of *Lancaster's*
Execution.

procure and increase Alms and good Deeds, to make a Chappel there; That there should be a Clerk assigned by the Queen and Earl of *Lancaster*, and a Monk whom the Prior should appoint, to remain there to receive and lay out what should be received at the Hill, for the Building of the Chappel; and it was also agreed there should be a Trunk provided with Three Locks and Keys, whereof the Clerk was to keep one, the Monk another, and a Burgess of the Town the third; Which Trunk for the security of it, was to be removed every night to the *Priory*, and carried back to the Hill every day; To be opened once or twice a week in the presence of the Three Key Keepers, and the Money to be delivered to the Clerk to pay the Workmen, &c. The King's Confirmation of this Accord is Dated at *York* on the 5th of *June*, in the First year of his Reign.

This was a fruitful Age of Miracles, for within less than Two years after the Execution of the Earl of *Lancaster*, [2] the King sent a Commission to Enquire after certain Persons, that reported Miracles to have been done at the place where *Henry Montfort*, and *Henry Wyllington* hung at *Bristol*, who were Condemned to be Drawn and Hanged by the King's Court for Rebellion, and afterwards their Bodies to remain upon Gibbets; This Report brought much People thither, to the Disturbance of the Peace, and Alienation of their Affections from the King, inasmuch as by Force and Arms they defended their Idolatrous Cheats, against such as were sent to disabuse the People, preserve the King's Honour, and keep the Peace.

A. D. 1320.

Easter-Day
was April 11.
this year,
1322.
The Process
and Award
against the
Spencers
brought into
Parliament.

On the 14th of *March*, in the Fifteenth of his Reign, just before the Barons Army was defeated, and this *Saint* taken at *Borough-bridge* in *Yorkshire*, the King at *Derby* issued his Summons for a Parliament to be holden at *York* three weeks after *Easter* next coming, into which Parliament upon the Petitions of *Hugh Despensers*, the Father and Son, (notwithstanding the Son's had been Reversed before, as above) was brought before the King, the Process and Award for their Disheritance and Exile, and upon shewing the Errors in them, they were both Revoked and made Null; Which Revocations, because they contain something of the History, and much of the Practice of, and Way of the Great Men's Living in those times, I have, with as much brevity as I could, Translated from the *Old French*, not being any where Printed or Published that I know of.

[1] *Class.*
15 Ed. II.
M. 14. Dof.
in *ecclia.*
This Writ
dated at *West-*
minster, May
15. and 14th
of Ed. II.
A. D. 1320.
The Petition
of *Hugh Spenser*
the Son, to
the King.

Whereas lately at our Parliament summoned at [1] *Westminster* to meet Three weeks after the Nativity of *St. John Baptist* last past, an Award was made against *Sir Hugh le Despenser the Son*, and *Sir Hugh le Despenser the Father*, by certain Great Men of the Realm, and then after the Feast of *St. Andrew* next following, *Hugh* the Son Petitioned Us, shewing, That while he was in our Service in the Office of Chamberlain, and so appointed in full Parliament, the Earl of *Hereford*, *Monsieur Roger de Mortimer* the Nephew, *Monsieur Roger de Mortimer* the Uncle, *Monsieur Roger Damory*, *Monsieur John de Mowbray*, *Monsieur Hugh d'Audele* the Father, *Monsieur Hugh d'Audele* the Son, *Monsieur Roger de Clifford*,
Mon-

Monsieur John Giffard de *Brimmesfield*, *Monsieur Maurice* de *Berkeley*, *Monsieur Henry* de *Tyes*, *Monsieur John Maltravers*, and many others, made a Confederacy by Oaths and Writing to pursue and destroy him, and upon this Agreement all the above-named, with their Retinues, came the Wednesday after the Feast of the * Invention of Holy Cross, in the 14th year of the King, to *Newport* in *Wales*, with Force and Arms, that is, to wit, with 800 Men at Arms, with the Banner of the King's Arms Displayed, and with 500 *Hobelors*, and 10000 Foot, to enter upon all his Lands to destroy them, and with the same Power and Force to besiege his Towns and Castles, and took them by force, and killed part of his People, *Sir John Iwayn*, *Matthew de Gorges*, and about 15 other Wellmen; and part they maimed, as *Sir Philip Joce*; and part they took and imprisoned, as *Sir Ralph de Gorges*, who was then in Prison, *Monsieur Philip Joce*, *Sir John de Frelingfield*, *Sir John de Dunstable*, *William de Dunstable*, and many others, which they freed upon Ransom; and they took, carried, and drove away his Goods and Chattels found in his Towns and Castles; That is to say, 40 War Horses, and Armor for 200 Men completely Armed, and other Warlike Engines and Unplements, and Victuals, Wheat, Wine, Honey, Salt, Fleish, Fish, and other Victuals, to the value of 2000 l. and burnt all his Charters, Remembrances, and Monuments they could find, to his loss 2000 l. They also burnt part of the Gates of his Castles, and Houses, and took the Irons out of the Windows, and Leads off the Houses, &c. and carried them away, to the damage of 2000 l. and then names Ten Castles in *Wales*, and the Marches, which they took and destroyed; and with the same Force and Power, they stayed in his Lands totally to destroy them about 15 days, in which time they forced the greatest part of all the Country to Swear to be of their Party, and those that would not, they imprisoned, put to ransom, and burnt their Houses and Goods; and in the same time they robbed and plundered him of all the Moveables in and upon his Mannors, 60 large Working Mares with Colts and Foals of two years, 160 Heifers, 400 Oxen, 500 Cows with their Breed for two years, 10000 Sheep, 400 Hogs, and all other necessary things found upon them, as Caris, Ploughs, Vessels, all these they took, drove, and carried away (without leaving any thing) from his Mannors, Lands, and Towns in *Wales*, which were 24 in number, to his damage of 2000 l. They burnt his Granges, and destroyed his Crop upon the Ground, to his damage of 2000 l. and the Debts which were owing him there, by force and cruelty they made his Debtors pay unto them, to the value of near 3000 l. with Fee-Farm Rents, and other Customs, which amounted to near 1000 l. And from *Wales* with the same Power and Force they came into *England*, upon his Castles, Towns and Mannors there, and cut up his Woods, Unbaced his Chaces, Disparked his Parks, pulled down his Houses, robbed and rifled as much as they could any where find, to his damage of 10000 l. and then seized upon his Friends, and his People, whereof some they put to ransom, some they rifled, and some they imprisoned, to the great grievance of them, and then by the same Cruelties and Hardships, they made the greatest part of the People against their wills, to be of their Party, and Sworn to them. And also with their Force and Power they came to the Parliament at *Westminster*, and there upon false Accusations, without calling the said *Hugh* to Answer, against all manner of Right and Reason, and against the Law

A Confederacy
against
the Spencers.

May the 2d.

The Outragious
Practices
against
them.

The Errors of
the Award.

Law of the Land, Erroneously Awarded him to be Disherited and Exiled England, wherefore he prays the King, as he is bound by Right of his Crown, and by the Oath he made at his Coronation, to maintain all People in their Rights, That he would please to cause to be brought before him the Process of the Award made against him, that it may be Examined, and that the said Hugh may be received to shew the Errors in it, and if there shall be any found, he would please to Repeal and Redress them, and to do further according to Right and Reason; and the said Hugh afterward shall be ready to stand to Right, and to answer every Complaint and Accusation according to Reason. And he sheweth the Errors of the said Process, For that the Great Men who pursued and destroyed him, prayed Pardon of the King for all those things, which might be judged Felonies or Trespases in that Pursuit, which they made by their own Authority, by which wrongfully they made themselves Judges of him, where they could not, or ought not to be Judges; also Error, in that the said Hugh was not called into Court, or to answer where the Award was made; also Error, in that the Award was made without the Assent of the Prelates who were Peers in Parliament; Item, Error, in that there was no Record of their Pursuit, or the Causes contained in the Award; also Error, in that the Award was made against the Form of the Great Charter, wherein is contained, That no Man shall be forejudged, nor in other manner destroyed, unless by Judgment of his Peers, or by the Law of the Land; with Request to the King to take notice, that the Great Men were summoned to come duly to the Parliament, but did not, when they came with Horse and Arms, and all their Force; Whereupon the said Hugh came and rendered himself Prisoner to the King, praying he would receive him into his Protection to prosecute his Complaint, and that Right might be done him in these Matters; and the King received him, as he ought to do, (sicome faire devions) and caused his Petition to be carried to the Arch-Bishop of Canterbury, the Bishops, and other Prelates, and the Clergy of the Province of Canterbury, then being in a Provincial Council at London, charging them by the Faith they ought him, to advise about the Petition, and let him know their thoughts concerning it; and when they had well Advised concerning it, they answered, That it seemed to them, that the Process and Award of the Exile, and Disinheritance of Hugh the Son, and Father, were Erroneous and Wrongfully made, wherefore they agreed and unanimously assented, as Peers of the Land, and prayed as Peers Spiritual, That the Award which was made wickedly and wrongfully against God, and all manner of Right, (contre Dieu & tote manere de droit) might be by the King repealed and annulled for ever; and said further, That they nor none of them ever assented to the Award; but that every one of them at the time when the Award was made, in Writing made Protestation, That they could not, or would assent to it for many Causes; and the Earl of Kent the King's Brother, the Earls of Richmond, Pembroke, and Arondel, before the King and Prelates, said the Award was wrong-ful, and against Law and Right, and prayed him, with the Prelates, and as they had done before, to null and make void the Award; and the Earls affirmed, That for fear of the Force, which the Great Men suddenly brought to the Parliament to make the Award, which was to them unknown and unexpected, they gave their Assent to it, and also advised the King to suffer it to pass, for which Offence and Mistake they prayed his Pardon.

And

And then afterwards another Petition was delivered to the King, on behalf of [3] Hugh the Father, setting forth, That the same Great Men before named, and their Adherents and Confederates with Force and Arms on the Day of St. Barnaby, in the 14th Year of the King, came to his Mannor of *Easten in Wiltshire*, and Twelve others in that Shire, Six in the County of *Glocester*, Four in *Dorsetshire*, Five in *Hampshire*, Two in *Berkshire*, Six in *Oxfordshire*, Three in *Buckinghamshire*, Four in *Surrey*, One in *Cambridgeshire*, Two in *Huntingtonshire*, Five in *Leicestershire*, One in *Yorkshire*, One in *Lincolnshire*, Five in *Cheshire*, and Five in *Warwickshire*; in all 63 Mannors there named, where they made the same Havock, committed the same Spoils, Devastations, and Destructions upon his Houses and Lands they had done upon his Sons, and used his Debtors, Tenants, Friends, and People as those of his Son; except that the loss of his Goods, moveable and immovable, in and upon his Mannors and Lands, were greater; as namely, two Crops of Corn, one in the Barns or Granges, the other upon the Ground; 28000 Sheep, 1000 Oxen and Heifers, 1200 Cows, with their Breed for two Years, 40 Mares with their Breed for two Years, 560 Cart-Horses, 2000 Hogs, 400 Kids, 40 Ton of Wine, 600 Bacons, 80 Carcasses of Beef, 600 Muttons in the Larder, and 10 Tons of Cyder; Armour for 200 Men, and other Warlike Engines and Provisions, with the Destruction of his Houses, to his Damage 30000 *l.* And at the same time they entered the Abbey of *Langley in Wiltshire*, broke up his Coffers, and carried away 1000 *l.* in Silver; also his Charters, Evidence, and Bonds, Cups of Gold and Silver, and other Silver Vessels and Jewels, to his Damage of 10000 *l.* And at the same time with Force and Arms entered the King's Castle of *Marlborough* (where he was the Constable) and took his Goods there found, 36 Sacks of Wooll, 6 Pair of rich Vestments, a Library, a Golden Chalice for the Sacrament, one Cross of Gold, another of Ivory and Ebony, and other Ornaments belonging to the Chapel; Cloths of Gold, Carpets, Coverings, and many other things, and his whole Wardrobe entirely, to his Damage of 5000 *l.* Excepting these Differences of Losses, the Petition is the same with his Sons *verbatim*, and the Errors assigned in the Process and Award, are the very same; his rendering himself Prisoner to the King, and his Reception into the King's Protection the same, and expressed in the same Words. And then it follows by the King (*Et nous apres, a nostre Parlement summons a Everwyk as trois semaines de Pasch en an nostre Regne Quinziesme seimens devant nous le Proces del dit Regard a la suite les ditz Hugh le Fitz, & Hugh le Pere, en cestes Paroles, A l'Honneur de Dieu & Seinte Eglise, &c.* 'And we afterwards, at our Parliament at York, three Weeks after Easter, in the 15th Year of our Reign, caused to come before us the Process of the Award, at the Petition of the said Hugh the Son and Hugh the Father, in these Words: *To the Honor of God and Holy Church, &c.* the whole Award being cited in this Record. After which Recital it follows, (*a quen Parlement, &c.*) At which Parliament at York, the said Hugh the Son and Hugh the Father being brought before us in Court, prosecuting their Complaints, and praying us to do them Right; and [the said Hugh] the Son

[3] *Ibm. Claus.*
15 Ed. II. 22
supra.
Hugh speaks
the Father's
Petition to
the King.

The Petition
of the *Spensers*
brought into
Parliament.

15 Edw. II.
The Writ of
Summons to
this Parle-
ment bears
Date March
14, 1321.
Easter-day
was April 11.
1322.

for

The Process
against them
examined in
Parliament.

Reasons why
the Award
ought to be
made void.

for himself shewed and alledged the Errors in the Process as above said; and also Hugh the Father alledged the same Errors, and prayed severally and jointly, That as the Award was made erroneously and wrongfully, against the Laws and Usages of the Realm, and against common Right and Reason, that we would annull and defeat the said Award, and that they might be remitted and reconciled to our Faith, and to such Estate as they had and were in before the Award: And hereupon hearing the Reasons of the said Hugh and Hugh, we caused the Process to be examined in full Parliament, in the presence of the Prelates, Earls, Barons, Knights of Counties, and the People that were come, by reason of the Parliament (*en presence des Prelates, Countes, Barons, Chevaliers des Countes, & le People & estoit venantz par Encheison du dit Parlement*) And we found the said Award was made without calling them to Answer, and without the Assent of the Prelates, which are Peers of the Realm in Parliament, and against the Great Charter of the Franchises of England, which says no Freeman shall be Banished, or other way Destroyed, but by lawful Judgment of his Peers, or the Law of the Land, and for that they were not called in Court to make Answer, and for these Errors, and for that the Causes in the said Award were not duly proved (*& pur ceo que les Causes contennes en la dit Award ne furent pas duelement approvetz;*) And further having regard to that, that we caused the Parliament at Westminster to be summoned in due manner, and commanded by our Writs the said Great Men (who made the Award) not to make Assemblies and Alliances, or come with armed Men, yet they came with all their Force to that Parliament, notwithstanding our Command: And when they came to London in that manner, they held their Councils and Assemblies at London, without coming to us at Westminster according to Summons; and then we sent to them to come to the Parliament at Westminster as they ought, yet they would not come, nor let us know their Mind, nor the cause of the Award, tho' we had begun and held the Parliament for 15 Days and more, and caused to come before us the Prelates, and some Earls and Barons, Knights of Counties, and others which came for the Commons of the Realm (*& avions fait venir, devant nous Prelates, & aucunes Countes & Barones, Chevaliers des Countes, & autres que vindrent par la Commune du Roialme*) and caused it to be published, That those that had Petitions to promote should deliver them. And after Proclamation thus made, no Petition was delivered, or Complaint made against the said Hugh and Hugh, until they came as afore said: And the Contrivance of the said Award they wholly concealed and kept from us, unto the very Hour they came to Westminster with Force and Arms, and made their Award against Reason, as a thing treated and agreed on amongst themselves, on their own Authority, in our absence, and encroached upon the Royal Power, Jurisdiction, and Conscience of Process and Judgment of those things, which belong to our Royal Dignity; wherefore we could not at that time stop the said Award, nor do right to the said Hugh and Hugh, as it belonged to us. And further taking notice that those Great Men, after the Award made, prayed our Pardon and Release for

for Confederating themselves by Oath, Writing, or in other manner, without our Leave, in pursuing them, and Trouping with Banners of ours and their own Arms displayed, and taking and possessing Castles, Towns, Mannors, Lands, Tenements, Goods, and Chattels, and also taking and imprisoning People of our Allegiance and others, and some they wounded, and some they killed; and many other things they did, in order to destroy the said Hugh and Hugh, in England, Wales, and other where, of which some might be called Trespassers, and others Felonies; also it appeared, those Great Men were Enemies to, and hated them at the time of the Award and before, wherefore they ought not to be their Judges, in their own Prosecution of them, nor have Record (*ne Record aver*) upon the Causes of the said Award. And we are bound by the Oath we made at our Coronation, and obliged to do Right to all our Subjects, and to redress and cause to be amended all Wrongs done to them when we are required, according to the Great Charter, by which we are not to sell or delay Right and Justice to any one; and at the pressing Advice and Request of the Prelates, given us for the safety of our Soul, and to avoid Danger, and for to take away an ill Example for the time to come of such Undertakings and Judgments, in the like case, against Reason. Wherefore we seeing and knowing the said Process and Award, made in the manner afore said, to be as well to the Prejudice of us, the Blemishment, (or Hurt) of our Crown and Royal Dignity, against us and our Heirs, as against the said Hugh and Hugh, and for other reasonable Causes, of our Royal Power, in a full Parliament at York, by the Advice and Assent of the Prelates, Earls, Barons, Knights of Counties, the Commons of the Realm, and others being at our Parliament at York (*pur le Conseil & l'assent des Prelatz, Countes, Barons, Chevaliers des Countes, le Commun du Roialme, & alivres a nostre dit Parlement a Everwyk Estauntz*) do wholly null and defeat (*de tut Avenisfoms & Defesoms*) the said Award of the Exile and Disinheritance of the said Hugh and Hugh, and all things in the Award (*& quant que cel Award touche*) and do fully remit and reconcile the said Hugh the Son, and Hugh the Father, to our Faith and Peace, and to the Estate they had and were in before the making of the Award in all Points. And we Award, That they have again (*recient*) Seisin of their Lands and Tenements, Goods and Chattels, &c. And we Will and Command, That where this Award is enrolled in any Places of our Court, it be cancelled and annulled for ever. And so the Roll was cancelled and crossed, and remains so at this day, with this Memorandum written under the Award.

The Award
made void by
Assent of the
whole Parle-
ment.

Les choses suscrites sont avenies e chauceles per force dun Award que se fit au Parlement le Roy a Everwyk a treis semaines de Pasch lan du Regne nostre Seign. Quinsime, sicome est contenue en un Roule que est consuz pendant a ceo Roule en le Mois de May prochain, These things above written are null and cancelled by force of an Award made in the Parliament at York held three Weeks after Easter, in the 15th Year of the Reign of our Lord, as 'tis contained in a Roll sowed to, and hanging at this Roll in the Month of May.

T

In

[4] Great Stat. Roll. from Hen. III. to 21 Ed. III. M. 31. Biblioth. Cotton. Claud. D. 2. f. 232. 2. The Ordinances examined and annulled in Parliament, A. D. 1322. 15 Ed. II.

In [4] this Parlement at *Tork* the Prelates, Earls, Barons, and the Commons of the Realm (amongst which were the Ordainers then alive) there assembled by the King's Command, caused to be rehearsed and examined the Ordinances dated the 5th of *October*, the 5th of *Edward II.* And for that by Examination thereof it was found in the said Parlement, That by the things which were Ordained, the King's Power was restrained in many things, contrary to what was due to his Seignory Royal, and contrary to the State of the Crown: And also for that in times past, by such Ordinances and Provisions, made by Subjects over the Power Royal of the Antecessors of the Lord the King, Troubles and Wars came upon the Realm, by which the Land or Nation was in danger; It was accorded and established in the said Parlement, by the Lord the King, the Prelates, Earls, Barons, and all the Commonalty of the Realm at that Parlement assembled, That all those things Ordained by the Ordainers, and contained in those Ordinances from thenceforth for the time to come, should cease and lose their Force, Virtue, and Effect for ever; And that from thenceforward in no time, no manner of Ordinances or Provisions made by the Subjects of the Lord the King, or his Heirs, by any Power or Commission whatever, over or upon the Power Royal of the Lord the King, or his Heirs, or against the State of the Crown, shall be of value or force. But the things that shall be established for the Estate of the King and his Heirs, and for the State of the Realm and People, may be treated, accorded, and established in Parlement by the King, and by the Assent of the Prelates, Earls, Barons, and Commonalty of the Realm, as hath been accustomed.

This Year the King raised an Army, and about the Feast of *St. James* marched into *Scotland*; the *Scots* fearing his Power, went over the *Scots Sea* [5] (*ultra Mare Scoticum se conferant*, that is, *Edinburgh Frith*) carrying with them and destroying all the Victuals on this side; and in a short time the King returns into *England*, his Army not having wherewithal to subsist. The *Scots* come over the *Frith* and follow him by Night-marches, and almost surprized him in his Camp in *Blackmore-Forest*; but he escaping with a few, they took the Earl of *Richmond*, and the King of *France* his Envoy, with many others, and waste the Country with Fire and Rapine almost as far as *Tork*; they burnt *Ripon*, and compounded with *Beverly* for 400 *l.* Sterling, and returned home laden with Spoils.

The Two Cardinals [6] sent from the Pope in the 10th of the King (as there noted) to make Peace between the Two Nations of *England* and *Scotland*, and Reconcile the King and Earl of *Lancaster*; but their Negotiation being without Effect in *Scotland*, Excommunicated *Robert Brus* King thereof, and put the whole Kingdom under Interdict, for their Perfidiousness to the King of *England*. To take off both, the [7] Bishop of *Glascow*, and the Earl of *Murray*, were sent to *Rome* by King and Kingdom, but prevailed not, Satisfaction not having been given to the Pope, nor King and Kingdom of *England*. Whereupon *Robert Brus* desired of

[5] *The de la Mer*, f. 596. n. 20, 30. The King raiseth an Army against the *Scots*, and goes in Person. The Army baffled.

The *Scots* invade *England*, plunder and burnt almost as far as *Tork*.

[3] *Walf. Hist.* p. 4. N. 17. f. 17. n. 50. f. 18. lin. 1, &c.

The King & Kingdom of *Scotland* send to *Rome* to take off the Excommunication and Interdict, but prevail not. [1] *Ibm.* f. 605. n. 30, 40, & *Hist.* n. 30.

the King of *England* a Truce, [8] which was granted to him for Thirteen Years.

Philip the [9] Fair of *France* left Three Sons, who all Reigned after him. *Lewis* the Eldest Reigned but Nineteen Months; to him succeeded *Philip* called the *Long*, he Reigned Five Years and Six Weeks, [1] dying on the 3d of *January* at *Bois de Vincennes*, A. D. 1322. The Youngest Brother *Charles*, called the Fair [2] succeeded him, and was Crowned at *Reims* on the 11th of *February* following, A. D. 1322. all the Peers of *France* assisting at that Solemnity, but the King of *England*, and Earl of *Flanders*.

This King not long after sent his Envoys [3] to cite King *Edward* to come and do his Homage for the Dukedom of *Aquitain* and Earldom of *Panthien*. The King sent wholly to excuse himself, or for but a time to delay it, by Advice of his Council, [4] the Earl of *Kent* and Arch-Bishop of *Dublin*; they were honourably received by the King of *France*, but returned without obtaining what they were sent for.

The King of *France* took these Excuses for a Denial, and sent his Uncle [5] *Charles of Valois*, an Enemy to the English, for the Disobedience of King *Edward*, in not doing his Homage, to seize the Duchy of *Aquitain* and Earldom of *Ponthieu*: He took Possession of *Agen*, and some other Parts of that Dukedom, and went to the Town of *Regle*, or *Reole*, which was Fortified, and the Earl of *Kent*, the King's Brother, in it, which was yielded; and upon a Treaty between them Two, a Truce was made, while the Two King's might agree upon a Peace.

In the mean time, the King accused *Adam* [6] Bishop of *Hereford* in Parlement for Treason, for assisting his Enemies and Traytors. He said he was a Consecrated Bishop, and Member of Holy Church, and could not answer to so hard a Charge, without the Consent of the Arch-Bishop of *Canterbury* (who was his Judge next to the Pope) and the other Bishops his Peers. The Arch-Bishop and Bishops hearing what he said, implored the King's Favour for him, who not granting their Request, they challenged him as a Member of the Church. A few days after, the King renewed his Accusation, when the Arch-Bishops of *Canterbury*, *Tork*, and *Dublin*, with Ten other Bishops, came to the Place of Judgment, and took away their Brother without making Answer, enjoining all Men, in the Name of God, not to lay violent hands upon him, Anathematizing all that should do it. After this the King being much moved, caused him to be Tried by a Jury of his Country, who found him Guilty; whereupon all his Lands and Temporalities were seized.

The [7] Record by which he was Restored to his Temporalities in the First of *Edward III.* reciting the Record of his Trial in the Country, gives a more particular Account of his Crimes, which informs us, That by Inquisition taken at *Hereford* before the Justices of the Kings-Bench, it was presented, That *Adam* Bishop of *Hereford* was of the Confederacy of *Roger de Mortimer* of *Wigmore*, who

[8] *De la Mer*, n. 30. f. 53. years between *England* and *Scotland*. [9] *Metz. Hist.* f. 345.

[1] *Ibm.* f. 349. [2] *Ib.* f. 350. *Charles* the Fair King of *France*.

[3] *Walf. Hist.* f. 119. n. 20. f. 20. n. 10. [4] *De la Mer*, f. 596. n. 20, 30, &c. He summons *K. Edward* to do him Homage, who made his Excuse.

[5] *Ibm.* *De la Mer*, n. 40, 50. which the King of *France* took for a Denial, and sends to seize the Duchy of *Aquitain* and Earldom of *Panthien*.

A Truce between the two Kings while a Peace made.

[6] *Walf. Hist.* f. 119. n. 30, 40, 50. The King accused *Adam* Bishop of *Hereford*. His Excuse for not answering.

[7] *Class. 1. Ed. 3. Part 1. M. 13. i. m. 13. His Crimes.*

He pleads he cannot answer without offending God and Holy Church, nor without leave of the Pope. He is found Guilty by Inquisition.

His Lands, Tenements, &c. Adjudged to be Seized.

[9] De la Moor f. 597. thro' out. He upon that Judgment endeavours to revive the Hatred of the Nobility against the *Spencers*. And incense the Queen against them, and the King her Husband.

[1] Ibid. The King intended to pass into France about a Treaty of Peace.

Is dissuaded.

[3] Ibid. The Queen makes means to go into France upon the same Affair.

And obtains her Desire.

[3] Ibid. and Walsing. f. 121. N. 40. 50.

was then reputed an Enemy and Rebel to the King his Father, and that he sent certain Men at Arms to his Assistance; and then being accused for these things before the Justices, and his Father, he alleged, that without offending God, and Holy Church, and without leave of the Pope, he could not, or ought to answer, nor ought the Justices to proceed to take the Inquisition; and though the Bishop submitted not to the Inquisition, yet the Justices went on, and for that it was found by that Inquisition that the Bishop was of the Confederacy of the said Roger, and sent to his assistance Men at Arms: It was adjudged by the Justices, he should as convict remain in the Custody of the Archbishop of Canterbury, and that his Lands and Tenements, Goods, and Chattels, should be seized into the King's Hands, and remained so seized, until the Date of this Record, by which they were restored. Witness the King at Westminster, the 16th of February, in the First of his Reign.

After this Judgment given by the King's Justices, this [9] Bishop used all means to revive the Hatred of the Nobility against the *Spencers*, now laid asleep, and incensed the Queen against them, upon pretence they advised the King to reduce her Family to a less Number, and Retrench her Expences, which (being a Lady affecting Prodigality) caused her Hatred not only toward the *Spencers*, but also toward her Husband. He made use of the Opportunity he had in many private Conferences about the times, and incited and increased her Indignation, as did likewise the Bishop of Lincoln, and both Bishops advised her, to take an Opportunity of making a Visit to her Brother the King of France, and her Uncle Charles de Valois, and beg their advice and help against the *Spencers*, which if he obtain'd, all things would succeed according to her Desire.

At this time [1] according to the Truce made between Charles of Valois, and the Earl of Kent when he delivered up Reole, (as was noted before) a Peace was to be treated of between the two Kings, for which purpose the King intended to pass the Sea himself; but the Earls of Winchester and Gloucester, (for such were now the two *Spencers*) dissuaded him, lest being left at home without him, or if they should accompany him into France, they might fall into the Hands of their Enemies. [2] In the mean time, the Queen by her Flatteries urged the King, that he might be sent upon this Message, promising to do all things according to his Desire, by the assistance of the two Bishops Lincoln and Hereford, and others of the Noblemen, the King was prevailed with to send her into France; where she was kindly received by her Brother, and Uncle, (*Dum causam mariti agit*) while she transacted her Husband's Business, who staid upon the Coast all the time of Lent, and Summer, for more ease receiving Letters from, and sending to her. (*Ea interim [3] sua res agit.*) In the mean time she did her own Business; and notwithstanding the King's Commissioners, the Bishops of Winchester, and Norwich, and the Earl of Richmond, by her Mediation the Bargain was made, or they received a Form of Peace from the King of France, That if King Edward would give his Right in the Dukedom of Aquitain,

tain, and Earldom of Ponthieu to his Son Edward, upon his doing Homage he would give him feisin of both; These Things agreed on both sides, the King of France sent his Letters of Safe-Conduct for the Prince, and the King sent him with a Grant of those Lands to have and to hold them to himself and Heirs, Kings of England; adding, That if the Son should die, living the Father, they should return to him; and also other Conditions, by which it should not be Lawful for the King of France to Marry him, nor provide a Guardian for him against his Will. [4] This Agreement was Confirmed by the Advice of the Prelates, and other Noblemen at Dover, the Day after the Nativity of the Virgin Mary, in the Eighteenth of the King; and on the Thursday following, Edward the Son, accompanied with the Bishop of Exeter and other Noblemen, went on Shipboard, and afterwards about the Feast of St. Mathew, did Homage to his Uncle of France, under Protestations made on both sides; the whole Affair being completed for which the Queen was sent into France.

Soon after Michaelmas the King [5] wrote to her, That she would speedily bring her Son into England. She wrote back, That the King of France her Brother, out of great Affection would have them stay with him; and sending back the greatest Part of their Families, she employed the residue of the Year, in prosecuting her own Designs. The Bishop of Exeter was sent over with the Prince, but was now removed from the Queen's Secret Council, and Roger Mortimer and other Fugitives the King's Enemies, were received into it. [6] This Roger Mortimer the Younger, upon Trial for Treason had received Sentence to be Drawn and Hang'd, the King out of his special Grace, pardoned the Execution of that Sentence, and willed that instead thereof he should be a perpetual Prisoner, and assigned certain Justices to declare his Favour, and adjudge him to Perpetual Prison; and not long after the Time of the Queen's going over, corrupting his Keepers he made his [7] Escape out of the Tower of London, and got into France.

The King much moved at the Queen's stay, and Detaining his Son out of the Kingdom, some [8] to save the Matter, said they were unwillingly Detained; others guessing that she was so bound by the Unlawful Embraces of Mortimer, that without him, and the other Fugitives, she would not return.

However it was, The King [9] sent and wrote to her oft times to return home, Expressing great Kindness to her, and grief of Mind for her absence; many feigned Excuses she had for her not coming, but the Chief was the Danger and Fear she was in of King le Despencer the Younger, which she sent to him by the Bishop of Winchester, with her Letters of Credence; in answer to which the King wrote, That he as much wonder'd as he could, seeing and observing always in his Presence the Kind Deportment of her to him, and of him to her, and especially at her Departure, declaring a perfect Amity; and since by her Letters of a late Date to him, which he had shewn unto the King attesting the same; and therefore the Homage being done to his Brother of France, and that they were in so fair a way of Affection one to another,

She bargains with her Brother, that if King Edward would give Aquitain and Ponthieu to the Prince, upon doing his Homage he should have Seisin of them. Upon that Agreement the Prince goes into France and does Homage. [4] De la Moor, ut supra, & f. 589. lin. 1. &c. Walsing. ut supra. A D. 1324. 18 Ed. II.

[5] De la Moor, ut supra, & f. 589. lin. 1. &c. The K. wrote to the Queen to return with him into England. She makes her Excuse, having no Mind to return. The Bishop of Exeter removed from her secret Council. [6] Ibid. f. 16. Ed. 2. Walsing. M 34. De la Moor. And Roger Mortimer taken into it. [7] De la Moor, f. 596. N. 50. [8] Ibid. f. 198. n. 10. Reasons why the Queen stayed in France. [9] Claus. 19. E. 2. M. 2. Dori. The King sent and wrote often to the Queen to return out of France. The Feast of High-Spence the Younger was her Chief Excuse. The King answers all her Excuses.

And chargeth
and com-
mands her to
come to him
in all haste.

He also Wil-
led and Com-
manded her
to send his
Son to him.

[1] Ibid.

The King of
France wrote
the Queen
dare not come
to K. Edward
for fear of her
Life and Hugh
Spencer.

King Edward's
Answer to
that, and o-
ther things.

He prays
him to send
his Wife to
him.

And to dis-
patch his Son's
Business, and
suffer him to
come to him.

he Commanded and Charged her as much as he could, That all feigned Matters and Excuses laid aside she should come to him with all haste, (*Par qui nous vous mandons & chargeons en quanque nous pouvons, que totes vieles Encheions feintes, & autres choses lessées & excusations cessantes, reignes a nous od tote hast*) for that the Bishop had told him, That his Brother the King of France in his Prefence told her, That according to the Tenor of her Safe-Conduct she should not be disturbed nor stayed from coming to him as to her Lord, and as his Wife. And then further writes to her, When she came, her Expences and way of Living should be such, as should be neither to the Dishonour of him, or her. He also Willed and Commanded her to suffer his dear Son Edward to come to him, as he had commanded him. And whereas at the time *Walter Bishop of Excester* was lately with her, he had been certainly informed, That some of his Enemies, and his Banished People, waited to Destroy him, if they had opportunity; to avoid such Dangers, and for other great Business he had with him, he commanded him upon his Faith and Allegiance to come to him with haste, leaving all other things in as much security as he could, she was to excuse his sudden coming away, it being for no other Cause. Given at *Westminster* the First of December.

At the same time, [1] the King of France by the Bishop of *Winchester*, wrote to him, and sent a Message by word of Mouth, That he had been informed by Persons of Credit, that the Queen dare not come to him for fear of her Life and *Hugh le Despenser*; to which excuse he made the same answer he had done to his Queen, and averred by Oath, That if the said *Hugh*, or any other Living in his Kingdom, or in his power, should offer any Ill to her, and he could know it, he would make them severe Examples to all others, and beseeched him not to believe those that told him other things, for that he had and ought to have greater Reason to know and understand this Matter, than any other, and therefore prays him to prevail with his Sister to come to him as soon as she could, for the Honour of themselves and of her, being much disturbed for want of her Company.

He also earnestly prayed him to dispatch his Son *Edward*, and deliver and surrender to him the Dutchy and Lands, which he preserved out of affection to him, that he might not be Dishonoured; and further prayed him to suffer his Son to come to him with all the hast he could, as he had commanded him, it being always his Mind he should return, the same hour he should command him, so soon as he had done his Homage: And then Excuseth the Bishop of *Excester's* sudden leaving France, returning into England, as he had done in the Letter to his Queen, Dated as above, at the same Place.

The

The [2] like Letters were sent to

[2] Ibid.

The Arch-Bishop of *Rheims*,
The Bishop of *Laon*,
The Bishop of *Beauvais*,
The Duke of *Burgundy*,
The Duke of *Britan*,
The Earl of *Flanders*,
The Earl of *Valois*,
The Abbot of *St. Denis*.

His Friends and Peers of
France.

The Arch-Bishop of *Roan*,
The Bishop of *Langres*,

Peers of France.

Gaucher Chastillon, Constable of France.

The Lord of *Coffi*,
Lewes Earl of *Clermont*,
Robert de *Artois* E. of *Beaumont*.

His Relations, but not Peers.

The next day the King [3] wrote to his Son, that tho' he was young, and of tender Age, yet he might remember what he Commanded him, and charged him with at his departure from him at *Dover*; and also what Answer he made him then. That when the King of France had received his Homage, he should take his leave of his Uncle, and return to him with his most Dear Companion, the Queen his Mother if she could come so soon, if not, he should come without her, and should not omit it any manner, neither for his Mother, or any other, upon his Blessing. Dated at *Westminster*, the Second Day of December.

[3] Ibid.
The K. wrote
to his Son to
return with-
out his Mo-
ther if she
could not.

His Son wrote an Answer to this Letter, as appears by [4] another of his Father's to him in *March* following, wherein he acknowledges he did remember what he was charged with at *Dover*, and especially not to marry without his Consent, and what he said there to his Father at his Departure, and promised in this Answer to do always his Commands and Pleasure to his power. Whereupon the King in this second Letter, strictly chargeth him again, well to remember those things, and in no case to Marry, or suffer himself to be Married without his assent, nor before he should come to him, nor do any thing that might turn to his Damage or Trouble of Mind; and as to what his Son said in his answer, That he could not come over so soon as he commanded him, by reason of his Mother, nor leave her, being bound by Nature to perform his Duty to her; to which he rejoind in these Words, (*Beaufitz vous sages coment nous lavons amee, & cherie & verroie-ment, si ele se eust portee vers nous come faire deust, & come bone feme vers son Seigneur, &c.*) Good Son, you know how much I should have Loved and Cherished her, and truly if she had carried her self towards us, as she ought to have done, and as a good Woman or Wife towards her Lord. But whereas she feigned an Occasion to withdraw from us, (*ele se feigne encheson de se retrere de nous*) by reason of our Dear

[4] Ibid.
The Prince
answered his
Father's Let-
ter, and he
wrote a Se-
cond Letter to
him.

The Con-
tents of the
King's second
Letter.

Nephew

The Queen's Kindness to Mortimer.

She makes him her Son's Companion and Counsellor.

The King commands him to return notwithstanding any feigned Excuses.

[5] *Ibm.* King Edward answers the King of France his Letter concerning his Queen.

[6] *Rat. Rom.* 19 Ed. II. M. 3. He writes to the Pope about the Affairs of his Queen.

Nephew, and faithful Hugh le Despenser, who hath always loyally served me: But see, and all the World may see, that she openly, notoriously, and designedly, against her Duty, and against the Estate of our Crown, which she is bound to favour and maintain, hath drawn to her, and retains in her Company and Council (attrée a foi & in la compaignie reiteint de son conseil le Mortimer, &c.) Mortimer our Traitor and Mortal Enemy, proved Attrait, and in full Parliament so judged, and keeps him Company every where in House and abroad, in despite of us and our Crown, and the Laws of the Realm, Whom at another time your Uncle Banished his Kingdom at our Request, as our Enemy; and yet she doth worse, if worse can be, in bringing you into his Company, and making him your Counsellor, and making you adhere and stick to him openly and notoriously in the face of the World, to the greatest Dishonour of us and you, and in prejudice of our Crown, and the Laws, and the Usages of the Laws of England, the which above all things you are bound to Preserve and Maintain, (as queux vous estes souverainment tenez, savez, & maintenez) and therefore he Commands and Chargeeth him upon his Faith, Amity, and Legeance, and his own Blessing, that he come to him with what speed he can, notwithstanding the foresaid Excuses, or any other; his Mother having wrote, that if he would return, she would not binder him, (car vostre Meer nous ad Efcrit, que si vous voillez retourner ele ne vous disturbereit pas) and he could not understand his Uncle should binder him against the Tenor of his Safe Conduct. Given at Lichfield the 18th of March.

At the same time King Edward [5] wrote to his Dear Brother the King of France, That he had considered his Letters, wherein he signified to him, he had seriously Discoursed his Sister, about the Reason and Things to which he had Answered, and that she had told him, she desired only to be with him, and in his Company, as a good Wife ought to be with her Lord, (à que ele vous ad dit, que ele desire tant de estre avecz nous, &c.) and that the seeming Amity between her and his Nephew Hugh le Despenser was only feigned, yet it was convenient to keep it up to gain time, and avoid worse things. To disprove what she said to her Brother the King of France, he reminded him of what great Amity and Kindness she often pretended to Hugh Despenser since her being there; and repeats the Intimacy between Mortimer and his Wife, and how she was wholly advised and directed by him, and did whatever he advised in the same Words and Manner as in the last Letter to his Son, and then desires him to restore the Duchy of Aquitaine, &c. to him, without having regard to the wilful humour of a Woman, and send him his Pleasure by the Bearer. Given at Lichfield, March 18. on the same day as before.

On the 15th of April next following, the King [6] wrote to the Pope, and sent him a Transcript of what had passed between himself, the King of France, his Sister the Queen, and his Son, by way of Narrative, and the Copies of the Letters he wrote them, with his Answers to what was reported of him in France, heartily beseeching him to read and consider them, and apply such Remedy for the removing the Matter of Scandal and Dissension, and the Dangers that might proceed from thence, as he should think fit, promising wholly to be directed by his Advice. Given at Knelworth the 15th day of April.

All

All these Letters, all these Mediators, could not bring her into England, until her Design was Ripe, and that she could come with Force; yet in all probability, they caused her either to quit, or be thrust out of France; Tho some of our Historians, and the French Historian [7] *Mezeray*, (who understood nothing of this Story, as appears by his Writing) and all from *Froysard*, Report, That by the Arts of the *Spencers*, and the Money given to her Brother Charles the Fourth of France, and scattered in his Court, and to the Pope himself, and distributed in his Court, that made them their Friends, so that her Brother forbad all Persons to assist her, and commanded her to go out of his Dominions.

Take the Original from [8] *Froysart*, who says he wrote his Chronicle from the Chronicles of Sir John la Beke, Canon of St. Lambert's of Liege, an Intimate, and of the Secret Council of John of Haynault.

The Barons [9] could not bear or suffer Hugh Spencer's favour with the King any longer, but sought each other amongst themselves, to be of a Peaceable Accord, and sent secretly to the Queen, who had been at Paris three years, (which was false by two parts of the time) signifying to her, if she could come into England with One thousand Men at Arms, and bring her Son and Heir with her, they would all come to her, and her Son Edward; She shewed these Letters to the King of France, who promised such Assistance, and to furnish her with Money; She was providing for her Voyage, of which Hugh Spencer had notice, who contrived with Gifts to buy off the King of France, and sent secret Messengers, with plenty of Gold, Silver, and Jewels into France, and especially to the King, and his Privy Council, inasmuch as the King forbad under pain of Banishment, That none of his Subjects should assist the Queen to go into England by force; and further, Hugh [1] Spencer, out of his Malice to the Queen, to get her under the King's Power, and his, caused the King to write to the Pope, That he would write to the King of France, to send his Wife again into England, for he would acquit himself to God and the World, that it was not his fault, that she departed from him, for he would nothing to her, but all Love and good Faith, such as he ought to hold in Marriage.

Also he sent [2] Gold and Silver great plenty, to divers Cardinals and Prelates who had most power with the Pope, (who lead the Pope by such-wile, with their Gifts and subtle ways) that he wrote to the King of France, That on pain of Cursing, he should send his Sister Isabel into England, to the King her Husband: These Letters were brought to the King of France by the Bishop of Xaints, when he had read them, they were shewed to the Queen his Sister, and then commanded her speedily to avoid his Kingdom, or he would make her to avoid it with shame.

Neither Letters nor Mediators could bring the Queen into England, until her Design was ripe. [7] *Fol.* 367. 352. The Historians Account of the Transactions between the King and Queen at this time.

[8] *F. r. a.* col. i. in the Prologue to the First Volume, Printed at London, 1520. Especially at *Froysard*. [9] *Ib.* f. 3. a. col. i. c. 8.

The King of France corrupted with Money.

[1] *Ib.* col. 2.

[2] *Ibm.* The Pope and Cardinals corrupted with Gold and Silver.

U

By

[3] Ib. cap. 9.
Robert of Artois his Advice to the Queen.

[4] Ib. f. 3. b. col. 1.

Shagoes out of France to William Earl of Haynault.

[5] Ib. fol. 4. col. 1. He received her kindly, and brings forth his four Daughters. The Prince likes Philip best.

[6] Fol. 123. lin. 1, &c.

[7] Ib. n. 20. And was contracted to her. [8] Fol. 598. n. 10.

[9] *Walsing.* ut supra.

The Earl of Haynault furnishes the Queen with Ships and Forces to come for England.

[1] *Ibm.* & *Anglia sacra*, parte prima, f. 366.

She lands at Harwich.

[2] *U. supra*, n. 20.

[3] *Walsing.* Ib. n. 30.

Several Bishops, Earls, and Barons, join with her.

[4] *Ibm.*

[5] *Append.* n. 68.

A. D. 1329. 20 Ed. II.

The King proclaims Mortimer

Traitor, &c.

By this means [3] all the *Barons of France* were withdrawn from the *Queen*, except *Robert of Artois* her Dear Cousin, who privately advised and encouraged her; and gave her secret notice, That her [4] Brother would deliver her, her Son, and the Earl of Kent, King Edward's Brother, and Sir Roger Mortimer, to the King and Hugh Spencer, and advised her to go into the Empire to William Earl of Haynault, and Sir John of Haynault his Brother.

The Earl received her with Joy at Valenciennes, and [5] brought forth his four Daughters, Margaret, Philip, Jane, and Isabell, the Prince liked Philip best, and she kept him Company during his stay there.

Walsingham [6] tells us, that the King, as 'twas reported, (*proindicitur*) had procured the Death of his Wife, and Son Edward, and that John of Britania, Earl of Richmond, her Familiar, was to have been the Executioner, but that perceiving the Noblemen of France to have been corrupted by large Gifts, and that there was no safety to be expected there, she fled privately with her Son and Family (or Followers) to the Earl of Haynault, of whom they were Honourably and Magnificently received.

Whether she was commanded by her Brother, or fled privately out of France, certain it is she [7] went to the Earl of Hanault, and having Contracted her Son to his Daughter Philip, ([8] Sir Thomas de la Moor says, Married him to her, without the Advice of the Nobility;) by his Assistance, who provided Men and Ships, [9] she came for England, with her Son, (then not Fourteen years of Age) Edmond Earl of Kent the King's Brother, Roger Mortimer, and many others, who were forced, or fled out of England, and with 2757 Men at Arms, commanded by John of Hanault, the Earl's Brother, and landed at [1] Harwich on Wednesday before Michaelmas-day, where she was joined by the Earl [3] Marshal, the Earl of Leicester, and other Barons, and Knights, (*cum Prelatis fere omnibus*) with almost all the Prelates, but chiefly with the Bishops of Lincoln, Hereford, Dublin, and Ely, who together made her up a great Army, [4] which being refreshed at St. Edmunds-Bury, she went forward to seek out her own, and the Kingdom's Enemies.

On the 28th of September, the King issued his Proclamation against [5] Roger Mortimer, giving notice, That he and the other Traitors had entred his Kingdom by force, and had brought with them Aliens and Strangers, and taken upon them Royal Power over him, and that therefore he was resolved to oppose them in Person, to Arrest and destroy them and all their Company and Adherents, as he ought and might, except the Queen, his Son, and Earl of Kent, who he would by all possible means to be as safe as before their landing; and summoned all Persons that by their Ligeance were obliged, to come with all their Force and Power, in Defence of him, themselves, and the Kingdom, and for the Ease of the People he promised to pay the Soldiers Wages; and

and also promised to all Great Men his Charters of Pardon for Felony or Adherence to his Enemies, as well in times past, as at present; and for Outlawry for what Cause soever, except the Traitor Roger Mortimer, and the great Managers of the People which came from beyond Sea with him, and those that killed Sir Roger Boler; and then promised 1000*l.* Sterling and Pardon to any one should bring him the Body or Head of Roger Mortimer. Given under his Great Seal at the Tower of London, the 28th of September.

This Proclamation had not its desired Effect, the People having been so prepossessed with strange Notions, and Jealousies concerning the King, and both the Spencers, and the strange things the Queen and Mortimer would do for Holy Church, themselves, and the Kingdom, that in her March, her Army daily increased, and the King's decreased; She did no injury [6] to the Bodies or Goods of any but her Enemies, which she sought out, and every where applied their Goods to her own use, and destroyed their Farms.

The Queen's Army was much [8] increased by some Bishops Letters wrote to their Fellow Bishops, and other Friends, that there were so many Dukes, Earls, and Barons, with their Troops, sent by the King of France, to defend the Right of his Sister, as all England could scarce feed them.

And also by another Lye spread all over the Kingdom, That the Pope had absolved all *Englishmen* from their Oath of Fealty sworn to the King, and that he had thundered out the Sentence of Excommunication against all those that bare Arms against the Queen, *Præterea profuit [9] Mendacium, ab exercitu in omnes Regni partes divulgatum, quod summus pontifex Romanus omnes Anglos absolvoit a fidelitate jurata suo Regi, &c.* For the Confirmation of which Lye, it was pretended there were Two Cardinals with the Queen in the Army, sent to her with these Favours from the Pope. *Ad hujus Mendacii confirmationem, &c.*

The Queen upon her Landing emitted a Proclamation, [1] That all should enjoy Peace and Quiet, except the Publick Enemies of the Kingdom, the Two *Despensers* Father and Son, and Robert Baldock the King's Chancellor, and their Favourers, who were the Cause of the present Disturbance of the Nation; That no Goods should be taken from any without the Consent of the Owners, if above the value of 3*l.* (then a days Wages for a Common Soldier) his Finger was to be cut off; nor 6*l.* (the Wages of an *Hobler*) under Pain of his Hand being cut off, (*nec valorem Duodecim Sterlingorum*) which 1 Translate 12*l.* the daily Wages of a Man at Arms) upon Pain of Death.

The King then at London requested Assistance of the [2] Londoners, who refused to aid him, whereupon he [3] left the City, and went Westward; In the mean time the Londoners, who were always in a fury, when they had a liberty of being Insolent, pretending Friendship to the Queen, (*cum [3] hæc aguntur Londinenses,*

The Proclamation without effect.

[6] *Ibm.*

[7] *Ib.* n. 40.

[8] *De la Moor*, f. 598 n. 30, 40. The Queen's Army much increased.

Her Cause carried on by Lyes.

[9] *Ibm.*

[1] *Walsingh.* f. 124. lin. 1, &c.

The Queen's Proclamation.

Punishments for Plunderers.

[2] *Ib.* f. 123. n. 40.

The Londoners refuse to give the King Assistance.

[3] *Ib.* f. 124. n. 10, 20.

The Rabble
seize their
Major.
[4] Ibm.
They Confede-
rate to kill
the Queen's
Enemies, &c.

[4] Ibm.
They cut off
John Marshal's
Head, Hugh
Spenser's Ser-
vant.

[6] Ibm. n. 30.
They plunder
the Bishop of
Exceſt'r's
Houſe, and
cut off his
Head.

[7] Ibm.
n. 40, 50.
The Reason
of their fury
againſt this
Bishop.

[8] Ibm.

[9] Ibm.
They ſeize the
Conſtable of
the Tower.
Prisoners ſet
free all Eng-
land over.

Fugitives and
Banished Per-
sons return
into England.

[1] Hiſt. ſacr.
f. 366.
Another Ac-
count of the
Murder of the
Bishop of
Exceſt'r.

[2] Ibm.
All ſorts of
Citizens meet
at Guildhall,
and contrive
how to put
to Death
the Bishops of
London and
Exceſt'r, and
the King's
other Juſtices.

[3] Ibm.
The Queen
comes to Lin-
coln.
All her En-
emies that ad-
hered not to
her.

venſes, quibus nunquam deſt furia, cum adest inſolendi licentia) gathering together the Rabble of all Artificers, (*Congregatis de cunctis artiſciis, inſimis perſonis, &c.*) taking Arms, and ſeize their Major, threatening to kill him if he would not ſwear to Conſent to their Orders, which he did, to ſave his Life, *Fecerunt* [4] *igitur Conjuratiorem, &c.* And they made a Confederacy, That the Queen's Enemies where-ever to be found, of what State or Condition ſoever they were, or ſuch as ſhould procure any Damage to the Liberties of the City, ſhould be put to Death.

Under pretence of this Oath, [5] they preſently took John Marshal, Servant to Hugh Spenser the Younger, (*& ejus caput in- miſericorditer amputarunt*) and unmercifully cut off his Head, and plundered all his Goods; and on the ſame day continuing their Madneſs, ([6] *eodem die continuantes ſuam Rabiem*) they ran to the Biſhop of Exceſter's Houſe, ſetting fire to the Gates, entering, and not finding him, they plundered his Jewels, Plate, and Houſhold-ſtuff; and coming out of the Fields on Horſeback to the North Door of [6] St. Pauls, the mad People took, beat, wounded, and threw him off his Horſe, and dragged him into Cheapſide, where they proclaimed him a Publick Traytor, and cut off his Head. The Reason of their Fury againſt this Biſhop [7] was, That being Treafurer of the Kingdom, he had perſuaded the King's Council, that the Itinerant Juſtices might ſit in London, [8] who found the Citizens had offended in many things, for which they loſt their Liberties, ſome were Fined, and others had Corporal Punish- ment.

Next day they ſeized the [9] Conſtable of the Tower, and took the Keys from him, and ſet free all the Priſoners, and ſo it was all over England, and at the ſame time all Fugitives and Banished Perſons returned.

We have a further Account of the Death of the Biſhop of Exceſter, and ſome of theſe things, from [1] William de Dene, a Publick Notary of the Church of Rochefter, living at the time. The Arch-Biſhop, 15 days after Michaelmas, intended to have held a Treaty with the Biſhops at St. Pauls, about ſending ſome of their own Order to the King and Queen as Mediators of Peace between them; The Biſhop of Rochefter diſſuaded his going into the City, or beyond the Thames, to Treat, being then at Lambeth, telling him the Hearts of the People were againſt the Biſhops, and that they hated them, imputing all the Evil that had happened in the Nation to their Slothfulneſs, Fooliſhneſs, and Ignorance; Next day they met at Lambeth, and Reſolved to ſend Two; The Biſhop of Wincheſter was willing to go for one, but could not get a Companion.

[2] Die Mercurii proximo ante Feſtum St. Luca conveniunt apud la Gylde-Hall, &c. On Wedneſday before St. Luke the Citizens, great and ſmall, (*maiores & minores*) met at the Guildhall, where they contrived how they might take, and put to Death, the Biſhops of London, and Exceſter, and the King's other Juſtices, and how they might Plunder the Merchants, & Mercatores in Groate depra- darent, taking the occaſion of the Queen's coming, [3] *accepta occasione de adventu Regine, quod Regine adhaerere nolentes proditores*

Regni

Regni publice conſerentur, becauſe thoſe that would not adhere to the Queen were publicly Reputed Traytors to the Kingdom. The Juſtices were then met at the Friars Preachers, and the Biſhop of Exceſter was ſtying to St. Paul's Church, they caught him at the Door, beat and grievouſly wounded him, and drew him through the Streets and Lanes to the Great Croſs in Cheapſide, where the Sons of the Devil, (*Filii Diaboli Virum fidelem, providum, & diſcretum, ac Regno valde neceſſarium truculenter decapitarunt*) Be- headed a Faithful, Wife, and Diſcreet Man, and very uſeful to the Nation. And further ſays, *Tunc conturbata eſt tota* [4] *Terra, & in circuitu impii ambulantes, animalia & alia bona pacificorum, quos hoſtes Regine dixerant, ſub tali colore ubique depradantes abduxerunt*: Then the whole Nation was in conſuſion; and the Wicked calling peaceable Men the Queen's Enemies, and under that colour took away and plundered their Goods.

The King not thinking himſelf ſafe there, had left London before the Queen came thither; and finding [5] by ſuch as he had ſent to make a Diſcovery, that almoſt all the Nobility, aſtrighted with falſe Reports (*tota fere Regni Communitas falſis territa rumo- ribus*) had come in to the Queen, went in [6] Wales; and having appointed Hugh Deſpenſer the Father, then Earl of Wincheſter, to defend the Town and Caſtle of Briſtol, went with Hugh the Son, then Earl of Gloceſter, Robert Baldock, and few others to [7] Chepſtow, and there took Ship, intending for the Iſland of Lundy, or Ireland; but the Wind being croſs, he could make neither, and having undergone much Hardſhip at Sea, he landed, and got to the Abby of Nethe in Glamorganſhire, where he lay cloſe,

In the mean time, the Queen followed him with her Army, and ſent theſe Letters abroad, to command and draw in the People to her Aſſiſtance: [8] *Iſabel by the Grace of God Queen of England, Dame of Ireland, Counteſs of Pontif, or Ponthieu; and we Edward, Eldeſt Son to the Noble King of England, Duke of Guyen, Earl of Cheſter, Pontif, and Montroil, or Montrevil; and we Edmond, Son to the Noble King of England, Earl of Kent, To all thoſe to whom theſe Letters ſhall come, Greeting: Whereas 'tis notoriously known, That the State of Holy Church and the Realm of England, are many ways blemiſhed and aſeſed, by the Evil Counſel and Abett of Hugh le Deſpenſer, who by Pride and a Deſire to Lord it, and ſet himſelf over all others, hath taken upon him Royal Power againſt Right, Reaſon, and his Allegiance; and in like manner made uſe of all the Evil Counſel of Robert Baldock and others his Adherents, ſo as Holy Church is reviled, and ſhamefully put under great Subjection, and the Prelates of Holy Church ſpoiled of their Goods againſt God and Right; Holy Church deſerved and diſhonoured many ways, and the Crown of England deſtroyed in divers manners, in Diſobedience of our Lord the King, and his Heirs, the Great Men of the Realm, by the Envy and wicked Cruelty of the ſaid Hugh; many of them, without Fault and without Cauſe, put to ſhameful Death; ſome Diſſerited, others Imprisoned, Banished, and Exiled; Widows and Orphans wrongfully forſwaged of their Right, and the People of the Land, by divers Tallages and undue Exactions very often burthened, and by divers Oppreſſions grieved*

[4] Ibm.
Thoſe who
were called
the Queen's
Enemies were
plundered all
the Nation
over.

[5] De la Moir,
f. 598 n. 50.
The King
goes into
Wales.

[6] Ibm.
Sets H. Spenſer
the Father to
defend the
Town and
Caſtle of Bri-
ſtol.

[7] Ibm. &
Walt. f. 125.
n. 10.
The King lay
cloſe in the
Alby of
Nethe in Gla-
morganſhire.

[8] Ibm.
Append n. 69
The Queen's
Letter, by
which the
commanded
and drew in
the People to
her Aſſiſtance.

Her care of
Holy Church,
and the Pre-
lates of Holy
Church.

grieved without Mercy. By which Offences the said Hugh hath shewn himself an open Tyrant and Enemy to God and Holy Church, to our most dear Lord the King, and to the whole Realm. And we, and many others with us, and in our Company, who have long been estranged from the good Pleasure of our Lord the King, by the false Suggestions and Evil Procurement of the aforesaid Hugh and Robert, and their Adherents, are come into the Land to raise the State of Holy Church and the Realm, and to defend the People from these Mischiefes and grievous Oppressions, and to maintain to our Power the Honour and Profit of Holy Church, and our Lord the King and the whole Realm, as aforesaid. Wherefore we command and pray you for the Common Profit of you and every one of you, to be Aidant to us at all times and in all places, and by all the ways you know or can, that the things aforesaid may be speedily brought to a good Effect and End. For know certainly, That all we, and all those with us, will not undertake any thing that shall not be for the Honour and Profit of Holy Church, and of the whole Kingdom, as in time you will see and find, if God please. Given at Wallingford the 15th Day of October, in the Twentieth Year of the Reign of our most dear Lord the King.

From Wallingford she marched to Oxford, and so in a short time to Bristol, which she besieged, and soon took; and the next day after she came thither, [9] Hugh Despenser the Father, Earl of Winchester, was Drawn and Hanged upon the Common Gallows, without Hearing or Trial, on the [1] Vigil of Simon and Jude, or the 27th of October.

Then the Queen went into the Marches of Wales, and staid at * Hereford a Month, from whence she sent Henry Earl of Lancaster, and Rhese ap Howell a Cleric and Welsh-man, who knew those Parts well, with part of her Army to find out the King, and by Money corrupted the Welsh-men, so as they discovered him to be in the Abby aforesaid, where he was taken, with Hugh Despenser the Younger, Robert Baldock, and Simon de Reding, [2] who were committed to the Custody of the Earl, by the Advice of the Bishop of Hereford.

Before it was known where the King was, it was supposed he had left [3] England, and [4] quitted the Government; whereupon on the 26th Day of October, at Bristol, the Arch-Bishop of Dublin, the Bishops of Winchester, Ely, Lincoln, Hereford, Norwich, and other Prelates, and Thomas Earl of Norfolk, Edmund Earl of Kent, the King's Brothers, Henry Earl of Lancaster and Leicester, Thomas Wake, Henry de Bello Monte, or Beaumont, William la Zouche de Ashby, Robert de Monte alto, or Montalt, Robert de Morle, Robert de Watteville, and other Barons and Knights in the Presence of the Queen and the Duke of Aquitan her Son, by the Consent of the whole Community of England, being then present, unanimously chose the same Duke to be Guardian of the Kingdom, so as the said Duke and Guardian should Govern the Kingdom in the Name and Right of the King his Father in his absence: And he took the Government of the Kingdom upon him accordingly, and passed all Matters under his Privy Seal, not having any other. Afterwards, on the 20th of November, when the Queen's and

Duke's

Bristol taken.
[9] De la Morte, f. 599. n. 50.
H. Despenser the Father drawn and hanged.
[1] Hist. Sac. vol. 6. f. 18.
The Queen at Hereford 3 Month.
* Ib. f. 600.
The Queen goes with her Army into the Marches of Wales to find out the King, and takes him with H. Despenser the Younger and others.
[2] Ib.
[3] [4] Appendix. n. 70.
It was supposed the King was out of England.

The Prince or Duke of Aquitan made Guardian of the Kingdom.

Duke's Enemies were taken, and the King was returned into his Kingdom, the Queen, Duke, Prelates, and Noblemen aforesaid, with the Assent of the Community aforesaid, then being at Hereford, by reason that the Power of the Guardian ceased by the King's coming into his Kingdom, sent the Bishop of Hereford to the King, then at Monmouth, to beseech him to Command, That all things that might tend to the Peace of the Kingdom, might be Sealed with the Great Seal then with him. This was done in the presence of the Earl of Lancaster, &c. and the King was prevailed on to send the Seal to his Wife and Son to [5] Seal what they would with it.

Whilst the Earl of Lancaster was carrying the King through Wales, [6] by Monmouth, Lodbury, and other Places, to his Castle of Kenelworth in Warwickshire, they sent Hugh Spenser the Son, Robert Baldock, and Simon Reding, to the Queen at Hereford. Before their coming, the Earl of Arundel, John Daniel, and Thomas Micheldene, had their Heads struck off by the Procurement and Hatred of Roger Mortimer, who [7] was at this time the Queen's most familiar Counsellor (Confiliarius Regina familiarissimus) without whom the Queen did nothing; [8] Those that brought Hugh Spenser, for their Reward had Two thousand Pounds, as he had promised. And [9] soon after he was adjudged to Death, without being put to answer, (sine Responsione) and was Drawn and Hanged upon a Gallows 50 Foot high, and then Quartered, and his Head fixed upon London-Bridge. [1] On the same Day Simon Reding was Drawn and Hanged for speaking hard things of the Queen.

Yet Knighton [2] reports Hugh Spenser the Younger was Arraigned before Sir William Trussell, a Justiciary, in the Form there mentioned, which was by way of a Speech made against him, as 'tis here contracted.

Hugh le Despenser [3] in the Parlement at Westminster, in the 15th of the King, your Father and you Hugh were awarded Traytors and Enemies of the Realm, and Banished as such, never to return without the Assent of the King in full Parliament duly summoned. Contrary to which Award, your Father and you Hugh were found in the Court without Warrant: And you Hugh, as you returned into the Kingdom, feloniously spoiled and robbed Two Demands (Merchant-Ships so called) of Goods to the Value of Forty thousand Pounds. Hugh, after this Felony, you came to the King, and caused him to go with Force against the Peers of the Realm, and other his Liege People, to destroy and disorder them, contrary to the Great Charter: And also taking upon you Royal Power, you Hugh and your Assistants, with Force and Arms, robbed feloniously the good People of the Realm; and by Andrew Harlewe, and other Traitors your Adherents, Murdered the good Earl of Hereford, Monsieur William Sully, and Monsieur Roger de Berfelde (at Borough-Bridge) and caused to be taken my most Honourable Lord Thomas the Good Earl of Lancaster, and caused him to be Judged by a false Record, against Law, Reason, and the Great Charter, and also to be Murdered, Martyred, and put to a cruel Death. Also in the same March (in the French Journey)

The Great Seal sent to the Queen and her Son.
[5] Ib.
[6] Wulf. f. 125. n. 30. 40.
The King carried to Kenelworth Castle.
The Earl of Arundel and 2 others Heads struck off at Hereford.
[7] Ib. n. 40. 50.
Mortimer the Queen's most familiar Counsellor.
[8] Ib. n. 40. 50.
[9] Ib.
H. Despenser the Son drawn, hanged, and quartered.
[1] Ib. f. 126. lin. 3.
Simon Reding drawn and hanged.
[2] Col. 2547. n. 10. 20. &c.
Knighton's Relation of the Judgment of H. Despenser the Son.
[3] Ib.
Sir W. Trussell's Speech against H. Despenser the Son.

[4] Col. 254⁸.
n. 10, 28, 30.

Journey) to Borough-bridge, you caused many of my Lords (the Earl of Lancaster) Barons and Knights to be Drawn and Hanged, by false Record against Law and Reason, [4] and caused other Great Men to be put in Prison and Murdered to get their Estates, as Roger Mortimer the Nephew and Uncle, Hugh Audeley Father and Son, and the Earl of Hereford. Hugh, after this Destruction of the Nobility, you Hugh, your Father, and Robert Baldock, usurping Royal Power over the King, led him and his People into Scotland against his Enemies, where you Hugh by your Traiterous Conduct caused him to lose 20000 of his People, to his great Dishonour, and Damage of the Realm, and to return without doing any thing.

[5] Ibm. n. 40,
50, 60.

Hugh, [5] this Treason nor this Tyranny would satisfy you, until by Royal Power gained over the King, you destroyed the Franchises of Holy Church and the Prelates, as the Bishops of Hereford, Lincoln, and Norwich, taking their Goods out of their Churches: And whereas you knew God had done great Things by my Lord (the Earl of Lancaster) you caused to be murdered, you placed armed Guards, and shut the Church-Doors, that none should enter to Honour God and his Saints. Hugh, after these Mischiefs, you advised the King to give unto the false Traitor the Earl of Winchester, Andrew Harkley, and self, Lands properly belonging to the Crown, in Dishonour thereof.

[6] Ibm. Col.
2549. n. 10,
20.

[6] Hugh, whereas the Queen and her Son passed beyond Sea by the King's Command to save the Country of Guyen, in point to be lost by your Traiterous Counsel, you sent over a great Sum of Money to some of your wicked Adherents, to destroy the Queen and her Son, (cest Droit heir del Realm) who is Right Heir of the Kingdom, and to hinder their coming over.

[7] Ibm.

[7] Hugh, your Father, Robert Baldock, and self, and other false Traitors your Adherents, taking upon you Royal Power, made great and small by force to swear to, and assure you, to maintain you in your false Quarrels or Pretences (en vous faux Querelles) not having regard that such Confederacies were False and Traiterous, against Legence and the State of the King and his Crown. [8] And forasmuch as you Hugh, and other Traitors, knew that the Queen and her Son were arrived in the Nation, by your Evil Counsel you caused the King to withdraw himself, and go from them, and carried him out of the Kingdom, to the Danger of his Body, and Dishonour to him and his People, feloniously taking with you the Treasure of the Realm, contrary to the Great Charter.

[8] Ibm. n. 30,
40.[9] Ibm.
The Judgment upon H.
le Despenser the Son.

Hugh [9] you are found Traitor, wherefore all the good People of the Kingdom, Great and Small, Rich and Poor, by Common Assent, do Award, That you are found as a Thief, and therefore shall be Hanged; and are found as a Traitor, and therefore shall be Drawn and Quartered; and for that you have been Outlawed by the King, and by Common Assent, and returned to the Court without Warrant, you shall be Beheaded (vous serrez decoller) and for that you abetted and procured Discord between the King and Queen, and others of the Realm, you shall be Embowelled, and your Bowels burnt. [1] Withdraw, Traitor, Tyrant, and so go take your Judgment, attainted wicked Traitor.

[1] Ibm. n. 50.

He was at this time Earl of Gloucester; and I see no Trial by Common Jury, or his Peers; and the Attaint was only this Speech made against

against, and most what was objected to him, had been Pardoned by Act of Parliament. (Et sic [2] statim morte plexus est Othavo Kalendarum Decembris) And so he was presently put to Death, on the 8th of the Kalends of December, or 24th of November.

[2] Ibm.
His Executi-
oc.

The Earl of Lancaster made no great haste with his Prisoner the King to Kenelworth, for in 13 Days time he was got no further from Monmouth than Lidbury in Herefordshire, at which Place the [3] Writ for Proroguing a Parlement that was pretended to have been Summoned by the King to meet 15 Days after St. Andrew, was Dated the 3d of December (Teste Rege apud Lidbury, tertio die Decembris, 20 Ed. II.) Witnes the King at Lidbury the 3d of December. The Writ for this Parlement, which was to meet 15 Days after St. Andrew, I believe can no where be found, which was to be holden by Isabel Queen-Consort of England, and Edward his Eldest Son Guardian of England, he then being out of the Kingdom, as 'tis said in the Writ, Dated the 3d of December, &c. for Proroguing that Parlement to the morrow of Epiphany, or Twelfth-Day; To be holden by him if Personally present, or in his absence by his said Consort and Son. But the miserable King knew nothing of this Summons Dated at Lidbury on the 3d of December, with his Teste; for the Great Seal was that Day in the keeping of the Bishop of Norwich at Woodstock, and the next Day delivered to Roger Mortimer and the Duke of Aquitan (i. e. Edward the King's Son) at the same Place, as it most certainly appears by the Record in the Appendix, n. 70.

[3] Append.
n. 71.A Parlement
to be holden
by the Queen
and her Son,
if the King
not in E-
land.Prorogued to
the morrow
of Twelfth-
day.The King
knew nothing
of the Writ
of Prorogati-
on dated De-
cemb. 3.The Parle-
ment met ac-
cording to the
Prorogation.[4] Hist. Sac.
vol. i. f. 367.
The first thing
moved in it,
was, Whether
the Father or
Son should be
King.[5] Append.
n. 72.
It was carried
for the Son.
The Reasons
why he was
deposed.

The Parlement (as 'tis called) met crastino Epiphaniæ, or 7th of January: The first thing moved by the Bishop of [4] Hereford, and many other Bishops joining with him, was, Whether King Edward the Father, or his Son Edward, should Reign over them? They were not long before they Agreed the Son should have the Government of the Kingdom, and be Crowned King [5] for the Causes following:

1. 'First, For that the Person of the King was not sufficient to Govern; for in all his time he was Led and Governed by others, who gave him Evil Counsel, to the Dishonour of himself, and Destruction of Holy Church and all his People, not considering or knowing whether it was Good or Evil; nor would remedy these things, when he was requested by the Great and Wise Men of his Realm, or suffer them to be amended.

2. 'Also, In all his time he would not give himself to Good Counsel, nor take it, nor to the Good Government of his Kingdom; but always gave himself to Works and Employments not Convenient, neglecting the Business of his Realm.

3. 'Also, For want of Good Government he lost the Kingdom of Scotland, and other Lands and Dominions in Gascoigne and Ireland, which his Father left him in Peace and

X

'Amity

Amity with the King of France, and many other Great Persons.

4. 'Alfo, By his Pride and Cruelty he destroyed Holy Church, and the Persons of Holy Church, putting some in Prison, and others in Distress; and also put to shameful Death, and Imprisoned, Banished, and Disherited many Great and Noble Men of the Land.

5. 'Alfo, Whereas he was bound by his Oath to do Right to all, he would not do it for his own Profit, and the Covetousness of him and his Evil Counsellors which were with him; neither regarded the other Points of the Oath which he made at his Coronation, as he was obliged.

6. 'Alfo, He abandoned his Realm, and did as much as he could to destroy it and his People; and what is worse, by his Cruelty and the Default of his Person, he is found incorrigible without hopes of Amendment. All which things are so notorious, they cannot be gainfaid.

These Articles were Conceived and Dictated by John Stratford [6] Bishop of Winchester and Treasurer of England, and written by William Mees Cleric, his Secretary and a Publick Notary. Having Approved the Articles, they were by Commune Agreement [7] sent to the King, then Prisoner in Kenelworth-Castle, Three Bishops, Two Earls, Two Barons, Two Abbots, and Two Justices, amongst whom was Sir William Trussell before noted, Proxy to the whole Parliament, to Resign their Homage and Fealty to the King, which he did in this manner: [8] I William Trussell, Procurator of the Prelates, Earls, and Barons, and other People in my Procuracy named, having for this full and sufficient Power, do Resign and Deliver up to you Edward King of England, as to the King before this Hour, the Homage and Fealty of the Persons in my Procuracy named, and do Return them upon you Edward, and make Quit or Free the Persons aforesaid, in the best manner that Law and Custom may do it; And do make Protestation in the Name of those that will not for the future be in your Fealty, or Allegiance, nor claim to hold any thing of you as King, but shall hold you as a Private Person, without any manner of Royal Dignity.

Sir Thomas de la Moor [9] tells us who the Three Bishops were; John Straiford Bishop of Winchester, Adam de Torleton Bishop of Hereford, and Henry Burwals Bishop of Lincoln: Three Principal Companions in transacting this Affair. The Bishops of Winchester and Lincoln came before the rest to the King, who with his Keeper the Earl of Lancaster, persuaded him to resign his Crown to his Son, and circumvented the King, promising him as much Honour after his Resignation as before; and on the other hand threatened him if he would not, the People should yield up their Homage and Fealty, and repudiate his Sons, and Choose one not of Royal Blood. With these and other importune Promises and Threats, they obtained their Desires. And then the Bishop of Hereford [1] brought in all the other Commissioners, sent by the Parliament, into the King's Chamber,

Chamber, where the whole Matter they came for was dispatched, not without great Grief and Reluctancy from the King.

Walsingham [2] reports, all the Nobility met at London, on the morrow of, or day after Twelfth-day, in Parliament, and judged the King Unfit to Rule, and for several Reasons to be Deposed, and his Son Prince Edward to be chosen King. Of which when the Queen had notice, [3] she was full of Grief outwardly (at foris apparuit.) But the Prince affected with this outward Passion of his Mother, would not accept the Title against his Father's Will and Consent (Et [4] juravit quod invito Patre, nunquam susciperet Coronam Regni.) The King when he received this News by the Commissioners, was much disturbed, and said since it could be no otherwise, he thanked them for choosing his First Born Son, making his Resignation, and delivering up the Royal Ensigns and Tokens of Sovereignty. The Commissioners returning to the Parliament at London, with the King's Answer and the Royal Ensigns, made the Rabble [5] rejoice; and presently the whole Community of the Kingdom admitted Edward, a Youth of Fourteen Years of Age to be their King, on the 20th Day of January, which they would have to be the First Day of his Reign. And from that time he acted as King before his Coronation, as may appear by the [6] Writ to all the Sheriffs of England to proclaim his Peace.

The King to the Sheriff of Yorkshire, Greeting: Because Edward, late King of England, our Father, by Common Council and Assent of the Prelates, Earls, Barons, and other Great Men, and also of the Communities of the said Kingdom, of his own Free Will removed himself from the Government of the said Kingdom, Willing and Granting, That we as his First-Born and Heir of the Kingdom, should take upon us the Rule and Government: And we yielding to the Good Pleasure of our Father, by the Counsel and Advice of the Prelates, Earls, Barons, Great Men, and Communities aforesaid, have taken upon us the Government of the said Kingdom and received the Homages and Fealties of the said Prelates and Great Men according to Custom. Therefore desiring our Peace for the Quiet and Tranquillity of our People to be irrevocably observed, we Command, That presently after sight of these Presents, you cause our Peace publicly to be proclaimed through your whole Bailiwick, forbidding all and singular, under the pain of Disfranchising, and losing Life and Member, That they presume not to infringe or violate our Peace, but that all Men do prosecute their Suits, and Actions without violence, according to the Laws and Customs of the Land, &c. Witness the King at Westminster the 29th of January. On the First of February, being Sunday, he was Crowned.

In the time between his being declared King, and his Coronation, the Londoners fearing themselves for their Cruelty against the Bishop of Exeter, to palliate their Wickedness, [7] interim Londonenses sibi metuentes de crudelitate Patrata in Episcopum Exoniensem, ad palliandum iniquitatem eorum, &c. forced the Arch-Bishops of Canterbury, York, and Dublin, and the other Bishops which came to the Parliament, to come to their Guild-Hall, where all the Bishops, except the Arch-Bishop of York, the Bishops of London and

X 2

Carlisle,

[2] f. 126. n. 20, 30.

[3] Ibid. The Queen outwardly sorrowful.

[4] Ibid. n. 40, 50. The Prince unwilling to receive the Crown.

K. Ed. resigns.

[5] Ibid. His Son made King.

[6] Glouc. 1. Ed. III Part 1. M. 28. Append. n. 74.

Note this Writ.

[7] H. B. Sac. f. 36. vol. 1. The Londoners force the Bishops to swear to maintain and defend all the Rights & Liberties of the City.

[6] Author. Decret. col. 2765. n. 40. Commissioners sent to the King at Kenelworth-Castle [7] Knighton, col. 2549. n. 50, 60.

[8] Append. n. 73. Homage and Fealty resigned to K. Edw.

[9] f. 600. n. 40, 50.

The Bishops of Lincoln and Winchester circumvented the King, by Promises and Threats.

[1] Ib. f. 601. lin 4. &c.

[8] *Ibm.*The Bishop
of Rochester's
Proclamation.[9] *De la Moor*,
f. 601, 602,
603.The Nation
begins to be
sensible of the
King's Condi-
tion.His Keeper
the Earl of
Lancaster pi-
tied his deplora-
ble case.Many Lords
and others
begin to think
how they
might deliver
him; the su-
spicion where-
of, caused him
to be removed
from Kenel-
worth-Castle,
and to have
new Keepers.He is inhu-
manly treated[1] *Ibm.* f.
603. n. 20.
And barba-
rously mur-
dered.

Carlisle, Swore to maintain and defend the Rights and Liberties of the City, in the presence of the Earl of Kent and an immense Multitude, who came to see the Silliness of the Bishops, how they Sacrificed to Mahomet: [8] In presentia Comitris Cantie, & multitudinis immense, qui ad videndum fatuitatem Episcoporum, quo modo Mahometo Sacrificabant confluxerunt. The Bishop of Rochester protested before a Publick Notary, and Witnesses especially called, That it was not his Intention to Swear, but saving his Order, and saving all Things contained in Magna Charta.

The King was all this time [9] Prisoner in Kenelworth-Castle, not knowing what further they were doing. The Nation observing what had been done, seeing the Queen engaged, and the Prince carried along with them, (not then perhaps suspecting or in the least understanding the Designs of the Heads and Privado's of the Faction) began to be sensible of the King's Condition, and to consider the Pretences of his Enemies, and to think how they might be kind to him, and prevent further Mischief. His Keeper also, the Earl of Lancaster, began to be every way obliging to him, much pitying and commiserating his deplorable Case. Many Lords and others began to think how they might deliver him out of Captivity; the notice or rather suspicion thereof, much startled Mortimer, the Bishop of Hereford, the Queen, and Chief Actors in this Tragedy, reflecting upon what they had done, and fearing if the King should get his Liberty they could not be safe, or at least their Designs must come to nothing, and caused them to think of removing him from Kenelworth, and appointing him new Keepers, who were Thomas Gournay and John Maltravers Knights, receiving him at Kenelworth-Castle by Principal Authority, (*Authoreitate Principali*, as Sir Thomas de la Moor phraseth it) and hurried him up and down the Nation, that it might not be known where he was; and at last brought him to Berkley-Castle in Gloucestershire, where he was inhumanly treated by his Keepers, attempting to destroy him by all ways of horrid Indignities, brutish Ullages, and before uncontrived and unthought of Affronts: But having been frustrated in their intentions, by his natural Strength of Body and Fortitude of Mind, on the 10th of the [1] Calends of October, or 22d of September, at night in his Bed they stifled and smothered him, with large and heavy Bolsters and Pillows, and put up a red-hot Iron, thro' a Duell-pipe, into his Guts at his Fundament; and in this most cruel manner murdered him, that no Wound or Mark of a Violent Death might be found upon him.

Church

Church-Affairs.

IN these we may give a short Account and History of the Templars, being an Ecclesiastick Order, and in these times the Pope claiming the Jurisdiction over Judgment and Censure of them, as not being subject to Temporal Power. This Order began in the [1] year 1118, only Nine Knights at first entering into a Combination by voluntary Agreement, were the first Founders of it, whereof the Two Principal were Hugo de Paganis, and Godfrey of St. Omar, to whom, because they had no certain Habitation, Baldwin King of Jerusalem assigned them part of his own Palace, near the South-Gate adjoining to the Temple of the Lord, from whence they were called Templars: Their first Profession was for the Remission of their Sins, to guard the High-ways for the safety of Pilgrims, and such as came to visit the Sepulchre, and to defend them from Thieves and Robbers. The King, Nobility, and Patriarch, with other Prelates, giving Lands to support and maintain them. Nine years after, [2] in the Council of Troyes, they had a Rule and Habit assigned them by Pope Honorius, when their Numbers and Possessions began to increase; in a short time they were so numerous, that there was in the Convent 300 Knights, besides of Brethren almost an infinite number; and they were said to have such vast Possessions, as there was no Christian Country, wherein they had them not, and so as to exceed Princes in their Revenues, and are reported by the same [3] Historian, to have obtained, and been possessed of in the space of 126 years 9000 Mannors in Christendom: Their increase in Revenues and Riches begat the Envy, and their neglect and non observation of the first Institution of their Order, their Luxury, Pride, and most horrid and detestable Crimes which were reported of, and objected against them, begat the hatred of all Christendom, so that within Sixty three years after, when they were [4] possessed of 16000 Lordships, besides other Lands, viz. [4] in the year of our Lord 1307, on Friday after St. Denis, or 12th of October, by Command of the [5] King of France, Philip the Fair, with Consent of Pope Clement the Fifth, all the Templars in France were secured, their Houses, Lands, Possessions, Goods, Treasure, Church Ornaments, and Writings seized on, and delivered to Guardians, under whose Custody and Administration they remained.

In like manner it was [6] ordained by the King and his Council, that all the Templars in every County in England, Scotland, Ireland, West-Wales, North-Wales, and Earldom of Chester, but more particularly those in England, should be attached by their Bodies on Wednesday next, after the Feast of Epiphany, or 6th of January, and that all their Lands, Tenements, Goods, and Chattels, as well Ecclesiastick as Temporal, with their Charters, Writings, and all Muniments, should be seized into the King's Hands; That the Goods and Chattels should be inventoried and prized, and Indentures made of them in the presence of the Guardian, or Preceptor of

[1] *Mit. Patri;*
f. 67. n. 10;
20, 30, 40.
A. D. 1118.
A short Hi-
story and Sup-
plication of the Tem-
plars.[2] *Ibm.*[3] *Ib.* f. 615.
p. 50. A. D.
1244.[4] *Heylin's*
Conquer. lib. 3.
fol. 98. a.
[5] *Mazaray's*
Hist. f. 333.[6] *Ric. Clauf.*
1. Ed. II. M.
12. Derf.
De captione
Templariorum,
8cc. A. D. 1307.

of every place, and in the presence of Two Lawful Men, where of one to remain with the *Guardian*, and the other with the *Sheriff*, the Live Stock to be kept upon the Premises, and the *Lands* to be Plowed and Sown to the best Profit and Advantage; That the *Bodies* of the *Templers* should be kept safe in convenient Places, other then their own, but not to be put in vile and base Prisons, while the *King* should order otherwise, and that every one according to his Condition, should receive a Competent Maintenance from these Goods. There is also contained in this *Record* the manner how this Ordinance was put in Execution: The *Writ* wherein the Instructions for the Execution of it were included, was Dated *December* the 20th, in the First of *Edward II.*

A. D. 1307.

[7] *Pateamus de la confirmation des Templars*, p. 8, 9.

The *King* of [7] *France*, after he had secured the *Templers*, desirous to proceed in the Prosecution of them, consulted the Faculty of Divinity in *Paris*, who answered him by Decree; That the Authority of a Secular Judge could not extend it self to proceed against any one for *Heresy*, unless he was required by the Church, or unless in case of necessity, where there was danger, he might secure Hereticks with intention to deliver them to the Church; Those that were in the Exercise of War for the Defence of the Faith, having made a Vow of Religion approved by the Church, were holden for Religions, and exempt from the Lay-Judge; and as to their Goods, they ought to be preferred to be employed for the end they were first given to the *Templers*.

[8] *Ib.* p. 9.

The *Pope* finding [8] the most wicked Procedure of the *King*, pretending they were Ecclesiasticks, Remonstrated to him by his Bull the great Obedience of his Predecessors to the Holy See, who never attempted to Judge Ecclesiasticks; That the *Templers* were immediate Subjects of the Church; That to the prejudice of his former Bulls, he caused Execution to be done as well upon their Persons, as Goods, for which he demanded Reason, sending to him Two Cardinals, to cause him to put things in such a State, that might satisfy him; Requesting him to Command, That the Accused, and their Goods, might be put under the Power of them Two.

[9] *Ib.* p. 10, 11.

In pursuance of his [9] Bull, full of Discontent, the *Pope* suspended the Power of the Arch-Bishops, Bishops, Prelates, and Inquisitors in *France*, and removed the whole Affair before his own Person, which made the Pursuit of the *King* void, and of none effect; Which the *King* relented by a Remonstrance which he made on his part; A Courageous Remonstrance; (saith the Author) and full of Resolution, (*Remonstrance courageuse et pleine de Resolution*) for he complained first, The *Pope* was told to second this just Pursuit, it being without difficulty; That God bated nothing more then those that were Lukewarm, this was to give Consent to the Crimes of the Accused, and give them Assurance they need not confess their Faults; That the *Pope* was subject to the Laws of his Predecessors, and as some have said, that he might be Censured in a Case of Faith; That the suspension of the Power of the Inquisitors made by the *Pope*, was much prejudicial

dicial to this Affair, giving hope to the *Templers* they might find favour before him, or that the Business would never be ended; That what he did was as a *Catholick King*, not as an Accuser, not as a Threatner, or Partial Promoter, but as the Minister of God, a Champion of the Catholick Faith, a Zealot for the Divine Law, and for the Defence of the Church, according to the Traditions of the Holy Fathers, of which he was bound to give an Account to God.

The *King* by all ways shewing to the whole World, that he went freely on in this Affair, and by justifying himself, he had done nothing without just Occasion, satisfied the Cardinals, and caused to be conducted to *Poitiers*, where the *Pope* then was, some of the principal *Templers*, that he might know from their own Mouths the Justice of his Procedure.

The *Pope* [2] interrogated these *Templers*, and 72 of them confessed, that at their Reception into the Order, they denied Jesus Christ, and many other Crimes, which were so horrible that he would not insert them in his Bull; [3] yet their Depositions were taken in Writing before the Bishop of *Prezeste*, the Two Legates sent into *France*, and Three other Cardinals.

These Confessions [2] without constraint, and of other most strange things, and the freedom the *King* of *France* used, changed the Resolution of the *Pope*, and he saw well he had failed in the suspension of the Power of the Arch-Bishops, Bishops, and Inquisitors of *France*, (*Et il vid bien quil avoit failli en suspendant le pouvoir, &c.*) for by his Bull he took off the Suspension, and permitted the Bishops with all diligence to proceed within their Dioceses against the *Templers*.

In the mean time the [3] Legates advised the *Pope*, the *King* had put the *Templers* under their Power, and judging they could not safely be sent out of the Kingdom without a great Guard, he ordered they should be kept within the Realm by his own People, always under the Name of the *Pope* and himself.

The *King* was very jealous of his Rights and Authority, yet shewed no Discontent; however wrote to the *Pope*, That as he had in no wise done injury to the Church Liberty, so he intended not by the frankness he had used in delivering what he did to the Cardinals, to do Violence to his own Rights; and for the *Templers* Goods, those he had deputed to keep them were his faithful Subjects, and such as had the Charge of his Demain.

This Letter [5] drew from the *Pope* a Bull, by which he declared, That what he had done, and should do in this Affair by his Agents, as well in respect of the Persons of the *Templers*, as their Goods, should be made no advantage to him, nor prejudice to the *King*, or Prelates, Dukes, Earls, Barons, or others of the French Nation, as to their Homages, Fees, and other Rights, they could pretend to, upon the Goods of the *Templers*, both Moveable and Immoveable, since their being secured.

While

[6] *Ibm.* &
p. 15.

While these things were in agitation, fearing lest there might be alteration in his Proofs, there being as yet no *Process* made [6] the King by Deliberation of his Council, with the Advice of the Prelates, Princes, and Barons, of his Realm, issued a Commission as well to Frier William of Paris of the Order of Preachers, and the Pope's Inquisitor in France, as to some Gentlemen upon the place where the Accused were Prisoners, to assist on his part in Interrogating the Templars, in which Commission were inserted their chief Names; That when they first entered into the Order, they denied Jesus Christ three times, and spit upon the face of the Crucifix so often, that those that were received kissed those which received them on the Breech, the Navel, and Mouth, and then obliged themselves, and made a Vow to expose themselves one to another for the Exercise of the Execrable Sin of Sodomy.

[7] *Ibm.* p.
15, 16.

The [7] Inquisitor and Gentlemen lost no time in the Execution of these Commissions, but laboured without intermission to perform what the King had enjoined them, so as the Inquisitor on several days Heard and Examined 140 Templars, of the Temple at Paris, who all agreed, That at their Reception into the Order, they were made to deny Jesus Christ, and spit three times upon a Crucifix that was presented to them; Secondly, They all deposed, That he who was received, kissed the Receiver in the Mouth, Navel, and Breech; Thirdly, That they had straight Prohibitions against the Carnal Knowledge of Women, but if pushed with Carnal Appetite, the Brethren without Fear or Conscience might use one another; Fourthly, Some of them [8] confessed they had Adored a Wooden Head gilt, with a great Beard, which was only brought forth at general Chapters.

[9] *Ibm.*

The Grand Master, [9] James de Molay or Mauleu, and Hugh de Peraldo, being Examined amongst the rest, confessed the same things, and there was but [1] Three of the whole number, which affirmed they had never seen any ill in the Order.

[1] *Ib.* p. 17.[2] *Ib.* 27, 28.

The [2] Pope not having any great Confidence in the French Inquisitors, deputed Three Cardinals, to Examine the Prisoners themselves at Grinon in Tourain, that he might know whether their Informations were true; From whose Report, the Pope perceiving the Order to be more and more corrupt, thought it necessary his Inquisition should be general, and therefore dispatcht his Bulls or Commissions to all the Arch-Bishops, Bishops, and Officers, in France, England, Wales, Scotland, Ireland, Albain, Bohemia, Poland, the Kingdoms of Arragon, Majorca, Navarre, and the Lands adjoining, the Provinces of Arles, Aix, Ambrun, Vienne, Bezançon and Tarentais, Cyprus, and all Italy, Sicily, Hungary, Achaia, Sardinia, and Corsica.

[3] *Ib.* p. 29,
30, 31.
Append. n 75.

To these Bulls or Commissions the Articles of [3] Inquiry, directed and prescribed by the Pope, were annexed, which were

I. Whe-

1. Whether, when first they were admitted into the Order, they abjured Christ, the Virgin Mary, or the Saints, or were admonished to do it, or they themselves had incited others to abjure?

2. Whether they had denied Christ, or Crucified Jesus, to be true God, or that he suffered for the Redemption of Mankind?

3. Whether they affirmed him a false Prophet, and that he suffered for his own Crimes?

4. Whether they believed the Master of the Order, not being in Holy Orders, could by the Sacrament of Penance forgive Sins, and whether he had done it?

5. Whether they thought they had any thing in their Statutes, to the Disgrace of the Orthodox Roman Church, or that favoured Crimes and Errors?

6. Whether, when they entered into the Order, they were taught, that they might luxuriously use one another, and commit no Wickedness, and whether they taught the Novices this?

7. Whether they swore to advance their Order against Right, and what was Decent, and induced others to swear accordingly?

8. Whether he that admitted them into the Order, told them they could have no Salvation in Jesus Christ?

9. Whether they spit upon the Cross, and the Image of Christ, or stamp't upon it, or on the Holy day of Friday, or any other, pissed upon it?

10. Whether they worshipped a Cat, or Skull, or any fictitious and false Image or Idol, with Divine Worship, in their great Meetings, or other Place of the Brethren; and whether they hoped for Riches, and plentiful Fruits of the Earth, and Trees from them?

11. Whether they touched the Idol with the Girdle they girt about their Shirts and Flesh?

12. Whether they libidinally and intemperately kissed the young Novices in any indecent part?

13. Whether, when they said Mass, they omitted the Holy Mysteries, and Words of Consecration?

14. Whether they esteemed it Wicked and Nefarious, to do these things?

The King having been at Poitiers, [4] conferred with the Pope, and they had agreed upon these Heads; That the Templars should be kept by the King, at the Request of the Pope and Bishops, and in their Name; That the Bishops might Judge the

[4] *Postea*,
ut supra, p. 33.

Y

Templars within their *Diocese*, except those who were reserved to the *Pope*; That in case of *Abolition* of the *Order*, the *Goods* should be employed for the *Service* of the *Holy Land*; That they should give to one another *Covenants*, that the *Money* arising from those *Goods* of the *Templars*, should not be diverted to any other use.

[5] *Ibm.* p. 34.
35.

The *Bishops* and other *Prelates* [5] in pursuance of the *Bulls*, proceeded against the *Templars* within their *Dioceses*, and did what they could to find out the *Truth* of the *Acculations*; but for that in *France* the *Examination* had been made before by *Inquisitors* with the *King's* Authority, assisted by *Gentlemen* named by himself, with which the *Pope* was not satisfied, and further, because the *Order* was not only settled in *France*, but spread all over the *Earth*, he thought it most necessary to name *Commissioners* himself to proceed a-new in his *Name* and by his *Order* against the *Templars*, who were the *Arch-Bishop* of *Narbon*, the *Bishop* of *Bayeux*, *Mande*, and *Limoges*, *Matthew* of *Naples* *Arch-Deacon* of *Rouen*, *John de Mantua* the *Pope's* *Notary*, *Arch-Deacon* of *Tremiti*, *John de Montlaur* *Arch-Deacon* of the *Church* of *Magnolon*, and *William Agarris* *Provost* of the *Church* of *Aix*, as appears by the *Commission* it self Dated at *Poitiers* the second of the *Ides*, or Twelfth of *August*, in the third Year of his *Pontificate*, *A. E.* 1309.

[6] *Ibm.* p.
113, to p. 123.
in the Ex-
tradit. &c.
A. D. 1309.

[7] *Ibm.* 36.

The same [7] Month the *Commissioners* began to act, and sent out their *Citations* for the whole *Order* to appear before them at *Paris* in the *Bishops* Hall.

On the 22d of *November*, they caused the *Grand Master* *James de Molay*, and *Hugh de Peraldo*, to come before them; but I find nothing worth noting that passed between them. One of the *Superiours* of the *Order*, [8] *Ponzard de Gyziac*, told the *Commissioners*, That the *Templars* in many *Places* had been grievously *Racked*; That all which they had confessed was for fear of *Death*, and that some of them died in their *Torments*; yet nevertheless he was resolved to defend his *Order*; and desired *Rexaud of Orleans*, and *Peter of Boulogne*, *Friers* of the *Order*, might be joined with him for *Advice*.

[8] *Ibm.* p.
38, 39.

These *Commissioners* [9] remained at *Paris*, from the Month of *August*, 1309, to the Month of *May* in the Year 1311, in which time they examined 231 *Witnesses*, as well *Templars* as others; and they almost all confessed the *Crimes* contained in the *Articles* sent by the *Pope*.

[9] *Ibm.* p.
46, 47.

During [1] this time, there was a *Council* of the *Province* of *Sens*, held at *Paris* against the *Templars*, where the *Arch-Bishop* of *Sens* presided. Those that undertook the *Defence* of the *Templars*, told the *Pope's* *Commissioners*, they had appealed to the *Pope* from the *Council* of *Sens*, and other *Councils*, which were holden for *Matters* concerning them, and requested them to take notice of it; who refused to do it, because both the *Commissioners* and *Councils* had the *Pope's* *Power*.

This

This [2] *Provincial Council*, by a long *Process*, Sentenced many *Templars*, some whereof were only *Abolved*; others did *Penance*, and were delivered; others were *Condemned* to end their *Lives* between *Four Walls*, and 59, as such as had relapsed, were *Degraded* by the *Bishop* of *Paris*, and delivered over to the *Secular Power*, and by that condemned to be *Burnt*, which Judgment was executed accordingly; who declared themselves *Innocent* at their *Death*, and that what had been imposed upon them was false, to the *Astonishment* of the *People*.

[2] *Ibm.* p. 48.

There were [3] 74 *Templars* named in the *Instrument*, who offered to defend the *Order*: They and their *Procurators* in the [4] *Instruments* and *Articles* of *Defence*, do say, That the *Articles* sent by the *Pope* were detestable, horrid, and wicked *Lyes*, unreasonable and impossible; That the *Religion* of the *Temple* was pure and free from such *Sins* and *Vices*; That the *Articles* were made and forged by false *Brethren*, and *Enemies* to the *Order*; and that the *King* of *France* first, and then the *Pope*, had been deluded and imposed upon by these *Men*: That the *Brethren* of the *Temple*, that had confessed and told so many *Lyes*, did it for fear of *Death* and *Torments*, or were suborned or taught what they should say, so as they might agree, though brought from several *Parts*: That the *Apostates* and *Fugitives* from the *Order*, and such as had been cast out of it for their *Wickedness*, were sought up for *Witnesses* and *Informers*: They also protest and declare it to be notorious, That what the *Brethren* of the *Temple* had said, or should say while in *Prison*, ought not to prejudice the *Order*; and that they were corrupted and compelled by *Promises*, *Money*, or fear of *Torments* and *Contumelies* they had seen others suffer; whereas the false *Brethren* had great *Promises* made them, and lived splendidly. To prove these things, they desire they might be in their former *Liberty*, and might appear in the *General Council*; and that those that could not come, might appoint their *Proctors*. These and many things more are contained in their *Reasons*, *Arguments*, and *Articles* of *Defence*, which were delivered in *Writing* and due *Form* of *Law*, to the *Pope's* *Commissioners*, as may be seen in the *Instruments* themselves before cited in the *Margin*.

[3] *Ibm.* p.
152, &c.
[4] *Ibm.* & p.
157, &c.

The *Pope* by his [5] *Bull* dated at *Poitiers* on the 2d of the *Ides* or 12th of *August*, in the 3d of his *Pontificate*, *A. D.* 1308, had Summoned a *General Council* to meet at *Vienne* in *Dauphin*, on the *Calends* or first of *October*, two Years after the same *Calends* then next coming; and from that time by a second *Bull*, [6] Dated at *Avenion* on the 12th of the *Calends* of *December*, or 22d of *November*, in the 6th of his *Pontificate*, *A. D.* 1310, he Prorogued the Meeting of the same *Council* to the *Calends* of *October* then next coming, *A. D.* 1311.

[5] *ypm* *Concil.* vol. 2. f. 458. *Labbii* *Concil.* Tom. 11. Part. 2. col. 1539. *A. D.* 1308. [6] *Labbii* *ib.* col. 1554.

A. D. 1311.

On the 11th of the *Calends* of *April*, or the 22d of *March* next following, on *Thursday* in the Week before *Easter*, the *Pope* called a private *Consistory* of *Cardinals* and *Prelates*, wherein he made void and utterly annulled the *Order* of *Templars*, and on the 3d of *April* next coming, *A. D.* 1312, the second Session of this *Council* began,

Ibm. *Labbii*. col. 1569.

[7] *Ibm.* col.
1557.[8] *2^{ae} Clauf.*
7 Ed. II. M. 11.
Durf.[9] *Labbe.* ib.
D. E.[1] *Clau.* Par.
4 Ed. II. M. 21.
Durf.[2] *Rev. Par.*
4 Ed. II. Part
1. M. 10.[3] *Col.* 1730.
n. 10, 20, 30.

began, in which by *Approbation* of the *Council*, the *Pope* published the *Cassation* as above, *Philip King of France* being present, with his Brother *Charles of Valois*, and his three Sons. The *Bull* by which this whole *Order* was dissolved, hath this Title, [7] *Sententia de extinctione Templariorum a Clemente Papa V. lata in Concilio Viennensi*: The Sentence of Extinction of the *Templars*, made by *Pope Clement V.* in the *Council of Vienne*, Dated there on the 6th of the Nones, or 2d of May, 1312. an *Exemplification* whereof is to be found in the [8] *Tower of London*, in which 'tis said the *Pope* dissolved the *Order* (non sine Cordis amaritudine & dolore) not without Grief and Bitterness of Heart; for their unheard-of Wickedness and Obscenity, which, for the Filthiness of it, could not be inserted in the *Bull*. Yet it was not done by definitive Sentence, which could not of right be given upon the Inquisition and Process had against them, but by way of Provision, or Apostolick Ordinance: [9] (Non per modum definitivae Sententiae, cum eam super hoc secundum Inquisitiones, & Processus super his habitos, non possemus ferre de jure, sed per viam Provisionis seu Ordinationis Apostolicae) by irrefragable Sanction to endure for ever; by Apostolick Authority reserving all the Goods (which in the Civilians and Canonists Sense, are both Moveable and Immoveable) to the Ordering and Disposal of the Apostolical See; and then annexed them for ever to the Order of the Hospital of St. John of Jerusalem. That the *Templars* were taken and imprisoned in England, and their Goods, as well Moveable as Immoveable, seized in the same manner as in France, hath been shewn before: That also they were here Examined as there, appears by the Instrument, or Commission, and Records here cited. The *Pope*, by his *Bull*, or Commission, Dated at Poitiers the 12th of August, 1309. appoints the Patriarch of Jerusalem, the Arch-Bishop of York, the Bishops of Lincoln, Chichester, and Orleans, the Abbots of Lotyngiac in the Diocese of Paris, and St. Germans in the Meadows near Paris, Richard de Vaux, Cannon of Narbon, his Chaplain and Hearer of Causes in his Palace, and Guido de Vich, Rector of Hosbe in the Diocese of London, to be Inquisitors into, and Examiners of the Crimes of the *Templars*, [1] in the 3d of Edm. II. it was agreed (Accordez est que tous les Templars Dengleterre) that all the *Templars* of England should be brought to three Places, London and Lincoln in the Province of Canterbury; and those in the Province of York to that City, to be examined by the Inquisitors and Examiners assigned by the *Pope*, and by the Ordinaries or Bishops of the Diocese where they were; and that the Inquisitors and Ordinaries should repair thither; and the King commanded such as had the keeping of the *Templars* to carry them before them, as often as they should be required; and in the 4th of his Reign granted safe Conduct to the *Pope's* Inquisitors or Nuncio's, the Abbot of Lotyngiac and Richard (or, as in the Record, Sicard de Vaux) with others, to go to Places aforesaid, and enquire upon the Articles sent by the *Pope* against the Order of the *Templars*, and all and singular Persons of it.

What was proved against the English *Templars* before these Inquisitors, I have not seen Recorded. [5] *Thomas Stubbs*, in the Acts of William Greenfield then Arch-Bishop of York, gives this

very

very short Account of it; That at London and York, before the Arch-Bishop and Bishop of those Cities, the *Templars* were solemnly examined, by the *Pope's* appointment, upon the Articles framed against them, to which they gave competent and agreeable Answers; and though they were accused in many things, yet nothing was found for which the Order might seem justly to be dissolved. This Arch-Bishop was in the Council, and much Honoured by the *Pope*; and when the Order was dissolved (*Pietate motus*) moved with Piety about the Condition of the *Templars* in his Diocese, distributed them into Monasteries, and commanded they should be provided for during Life.

Walsingham in his History likewise [4] makes a short Report of the whole Story, and tells us, That Philip King of France thought to make one of his Sons King of Jerusalem, and to obtain for him all the Rents and Revenues of the *Templars*; and upon this occasion caused many of them, and the Great Master of the Order, to be burnt in his Kingdom, and procured the whole Order to be made null in the Council of Vienne: But he missed of his Purpose, and the *Pope*, not without a great Sum of Money (non sine magna pecunia interventu) gave them to the Hospitalers. About this time there had been many heinous Crimes sworn against the *Templars*, in the Provincial Council of London, called at the Command of the *Pope*, the same that were sworn against those in France. They confessed the Report, but not the Facts, unless one or two Ribalds (that is, most wicked and profligate Men) in every State (to wit, of Priest-Templars, Knight-Templars, Common Brethren, and Servant-Templars;) Nisi unus vel duo Ribaldi in omni statu. Yet at last they all confessed they could not purge themselves from the things charged on them; so that every one of them were thrust into Monasteries, there to do perpetual Penance, where they in all things behaved themselves well. This Relation of Walsingham is taken out of Adam Murymouth [5] who then lived, and his very Words transcribed by him.

In the Sentence of Extinction of the *Templars*, and Donation of their Lands and Goods to the Hospitalers, all Possessors and unlawful Detainers of them, of what State, Condition, Excellency and Dignity soever they were, whether Bishops, Emperors, or Kings, were Excommunicated, unless within one Month after they should be required by the Master and Brethren of the Hospital of St. John's of Jerusalem, or their Procurators, they parted with, and fully and freely restored them to that Order; and also all that were Aiding, Advising and Assisting in the Detaining of them; and likewise all Chapters, Collegiate and Conventual Churches, Cities, Castles, Towns, and other Places that detained them, and delivered them not when required, as aforesaid, were put under Interdict; from which Excommunication and Interdict, they were not to be absolved, until they had made full and due Satisfaction. And besides these Punishments, all Persons and Places that detained the Goods and Estates aforesaid, and delivered them not, that held Fees of the Roman, or any other Churches, were decreed (ipso facto) in very Deed to be deprived of them.

In

[4] Fol. 99.
n. 10, 20, 30.
40.[5] In 1310. &
1311.

[6] *Ibm.* A.D.

In the end of this Council, says the last cited [6] Historian, the Pope sent two Cardinals into England, to receive the Lands, Goods, and Possessions of the Templars, for the Use of the Hospitalers. The Earls and Noblemen, whose Progenitors had given them to the Templars (the Order being dissolved) possessed themselves of, and refused to restore them, so as the Nuncio's returned without doing the Business they came for. The Pope's [7] Letter, or Bull, to the King, That he should give his best Assistance in promoting of the Delivery of the Templars Goods to the Master and Brethren of the Hospital, or their Procurators; and further, That he should expressly Command all his Earls, Barons, Great Men, Corporations, and Bodies Politick, Seneschals, Bailiffs, and other Officers, which were by him deputed to keep those Goods, to deliver them when required, was Dated the 26th of the same Month of May, in which he passed the Sentence of Extinction. This in all probability was the Bull, or Letter, by which the two Cardinals, as Procurators, or Attorneys, came to demand the delivery of the Lands of the Templars for the Hospitalers.

[8] *Reg. Claus.* 7
Ed. II. M. 12.
Derj.

On the 25th of November, 1313, by virtue of a long tedious [8] Instrument for the restitution of the Possessions, Goods, and Chateaux to the Hospitalers, which had belonged to the Templars in England, in which the Pope's Proceedings against them were recited, Albert of Black-Castle (*de Castro nigro*) Great Commander of the Hospital of St. John's of Jerusalem, and Deputy of the Great Master, and Leonard de Tiberis, Prior of the Hospital of St. John's of Venice, and Procurator General of the Order: Their Procurators petitioned and required, That whereas the Pope had given, by Consent of the General Council, all the Houses, Churches, Chapels, Oratories, Cities, Castles, Towns, Lands, Granges, Places, Possessions, Jurisdictions, Rents, and Rights, and all Goods, Moveable and Immoveable, with all their Rights, Members, and Appurtenances, and annexed, united, incorporated, and applied them to the Greatness and Extent of Papal Power (*de plenitudine Apostolice potestatis*) to the said Hospital, &c. The King hearing this Supplication, made Protestation for the Preservation of his Right, and Rights of his Subjects, notwithstanding such Restitution and Rendering; and that if he made such Restitution, it was for fear of the Danger which he foresaw might come upon him and his Kingdom, if he did it not, and which for the shortness of Time and other Causes could not be avoided: And further protested, That at a fit time he and his Subjects would demand the Goods, as if they never had been restored.

Three Days after, on the 28th of November, the King caused to be delivered all the Things above mentioned to the two Procurators, Albert and Leonard, according to the Pope's Bull directed to him, and to avoid the many Dangers and Damages that might otherwise happen to him, his Dominions, and Subjects, saving the Right of him and his Subjects, according to the Effect of his Protestation. The King's Letter to this purpose was directed to the Guardians [1] of the Lands and Tenements of the Templars in London, and Suburbs; and the like Letters were sent [2] to Fifty

[1] *Ibm.*
[2] *Ibm.*

six other Guardians of their Lands and Possessions in all Counties, and several particular Places in England, and to Andomar Earl of Pembroke, to deliver and surrender the new Temple, with all its Lands, Tenements, and Appurtenances in London, the Suburbs, and Middlesex. In like [3] manner he wrote to the Bishop of Lincoln, several Noblemen, and all the Sheriffs of England.

[3] *Ibm.*

A And then after these Letters and Instrument, there is entred upon Record a long impertinent [4] Acquittance reciting the Proceedings, as before, in their Request against the Templars, from these Procurators, by which they acknowledge themselves to be well contented and paid (*bene contenti & pacati*) by the King, and all others in the Restitution, &c. Dated in London on the Nones or 5th of December, A. D. 1313.

[4] *Ibm.*

B The Pope by a long Bull dated on the 5th of the Kalends of November, or 28th of October, in the 4th of his Pontificate, commanded Robert Winchelsey, Arch-Bishop of Canterbury, A. D. 1309, to deliver an Abstract of it to the King, and to Expond it to him, which was thus Directed; [5] *Excellentissimo Principi & Domino suo, nobis Domino Edwardo Dei gratia Regi Anglie illustri Domino Hibernie, & Duci Aquitanie, infirmamus, & Exponimus nos Robertus permissione Divina Cantuariensis Archiepiscopus totius Anglie primas, ex iuncto nobis mandato Apostolico que inferius distribuntur.* To the most Excellent Prince, and his Lord, you Edward, by the Grace of God, illustrious King of England, Lord of Ireland, and Duke of Aquitan, we Robert by Divine permission Arch-Bishop of Canterbury, and Primate of all England, by the Pope's Command, do insinuate, and declare to you, the things under-written; Which were these Grievances.

[5] *Reg. Rotum Winchelsey, t. 6. a. in Doctrina Communi.*

D 1. 'That his Officers, altho they were bound fervently to assist the Cardinals of the Roman Church, whom the Wisdom of God had taken into part of the Apostolick Care thereof, and to whom the fulness of Reverence was due from all Sons of the Church, (*a cunctis Ecclesie filiis debetur Reverentia plenitudo*) yet they presumed to give them great trouble, and to do unto them and their Agents, grievous Injuries, especially unto Neapoleon of St. Adrian, and Francis of St. Mary in Cosmedin, Deacon of Cardinals, notwithstanding they had done such things as promoted the King's Honour, and hindered the contrary from being done.

F 2. 'There was another Cause of profound Trouble arose in the Judgment of the Pope himself, (*preterea sensibus ipsius Pontificis alia profunde Turbationis causa conjungit, &c.*) That whereas sometimes imitating the Steps of his Predecessors, he had provided the Ecclesiastick Dignities, and Benefices of his Kingdom, and other Lands, with sufficient and worthy Persons, and they having deputed certain Persons their Agents, the King's Officers glorying in Licentious Wickedness, altho they had no just Power or Jurisdiction given them in such Matters, either from God or Man, yet they rashly presumed to inhibit their Agents to act for them, or form any Processes, or cause them to be publish-

published, whereby the Hinderers of such Proceedings dam-
nably incurred the Sentence of Excommunication.

3. 'Also adding worfe things to the former, not fearing any
Citations concerning Matters that belonged to Ecclesiastick Ju-
risdiction, granted by the Apostolick See, tho against Ecclesi-
astick Persons, they prohibit all such Citations to be executed,
and also that no Man go to the Apostolick See by virtue of such
Citations, nor make Instruments upon them, or obey them
under most grievous Punishment in Person and Goods, against
the Canon, by which they do *ipso facto*, damnably incur Ex-
communication.

4. 'Also, for that the Pope cannot sufficiently admire, and
feels the cruel Prickings in his Mind, (*Item ex eo sumus Ponti-
fex non sufficit admirari, diras sentit in animo Punitiones, &c.*)
because the Nuncio's of the Holy See, when sent into your Kingdom
about Business, they dare not publish them, before they are
shown to your self, and if they do, they are chased out of the
Kingdom by Terrors and Frights, and sometimes seized by your
Officers as Vile and Reprobate Persons, not attending what great
Detraction of Honour and Reverence from the Holy See is made
thereby, in Contempt and Disgrace of the same, as by the de-
testable boldness of the said Officers concerning Mr. William Piat,
a Messenger of the Holy See, it doth most evidently appear,
who, because as he ought not, would not forbear gathering the Pro-
fits of Ecclesiastical Benefices, reserved in your Kingdom by the
Pope himself, according to the prohibition of your Officers in
Reproach of the Holy See, and the Pope, was by your Sheriff of
Yorkshire, not attending that the Supereminent Authority of the
Holy See, is Honoured, or Despised in its Ministers, committed
to Prison, and there detained until he redeemed himself by
paying to l. Sterling.

5. 'Also your Officers refuse to cause to be taken such as are
Excommunicated by Authority of the said See, at the Request of
the said Nuncio's, or Judges sent from the Apostolick See.

6. 'Also your Officers and Ministers do hinder the Delegates
of the Apostolick See, us, and other Ordinaries, (*nos & alii
ordinarii*) and all Ecclesiastick Persons, whatever, to judge of
Causes merely belonging to Ecclesiastick Jurisdiction, and strictly
forbid us and them, tho unjustly, That we nor they do any
ways meddle with the Judgment of them, (*& minus iuste nobis
& eis, ne de cognitione huiusmodi intromittamus vel intromittant ali-
quiditer*) and if we or they do contrary to this Prohibition,
which ought not to be obeyed, the same Ministers and Officers
take unduely our, and their Goods, manifestly thereby hin-
dering Ecclesiastick Jurisdiction, which with Divine Reverence,
and as an help to their Salvation, they ought with great Care
to Defend; *Quam debent pro reverentia Divina, & eorum salutis
argumento intentis studiis defendere.*

7. 'Also

7. 'Also we and the Ordinaries aforesaid dare not take, or
keep in Custody any Ecclesiastick Person, nor do Justice upon
him, what great Fault forever he hath committed, being affright-
ed by the Threats of your Ministers.

8. 'Also your Officers and Ministers not taking notice that
Laics have no Power given unto them over Clerics, Religious,
Ecclesiastick Persons, tho they be in Priests Orders; yea Bishops,
without Licence from the Pope, or their Superiors, in Deroga-
tion of your Honour, do amercey them in Pecuniary Mults,
(*amerciant in pena pecuniaria*) and otherwise unjustly condemn
them at their pleasure, and force them to answer before them-
selves, seizing their Persons and Goods against their Wills, in
Criminal, Personal, and other Actions, altho they alledge the
Priviledge of Clerks, to avoid their Jurisdiction, (*ipsoque per
captionem personalem, & bonorum suorum & alia tam super crimina-
libus quam personalibus, & aliis actionibus quibuscunque venientes &
invitos, & etiam eorum forum declinantes, & Clericale privilegium al-
legantes, coram se respondere compellunt.*)

9. 'Also your Officers and Ministers do condemn Clerics in
Priests Orders, as Thieves and Murderers, and cause them to be
put to Death, offending thereby the Supreme King, who hath
forbidden his Anointed to be touched by any Secular Power,
(*in supremi Regis offensam, qui Christos suos per quamcunque secula-
rem potestatem tangi prohibuit*) and in these Cases Twelve Lay-
men are admitted as Witnesses, (*i. e.* Jury-men) against the
Clerk, who if they say they believe they committed the Fault,
for which they are accused, upon this saying of the Witnesses
they are condemned to Death, for which things they undoubt-
edly incur the Sentence of Excommunication, *ipso facto*.

10. 'Also your Officers and Ministers take the Goods,
Rents, and Profits of Prelates and Clerks, at their pleasure,
not offering or giving them satisfaction.

11. 'Also as well your Officers and Ministers, as the Noble-
men, pretending that Churches and all Monasteries were founded
by them, do go and come into Religious Houses, and the Houses
of other Ecclesiastics, at their pleasure, and do so oppress
them, and make so great Exactions upon them, that they scarce
have sufficient to support themselves, they sometimes extorting
by violence half, sometimes a fourth, or other certain part of
their Goods.

12. 'Also when the Guard of Bishopricks, Monasteries, Prio-
ries, and other Benefices of holy Church belonging to them by
vacancy or otherwise, his Officers and Noblemen destroyed
and wasted the Houses, Woods, Warrens, Fishponds, Parks,
Beasts, Mills, and other Goods belonging to them, so as in
long time they could not be repaired, or put into their former
Estate; for which such as were Counselling, Aiding, or
Assisting in such Destruction, incurred the Wrath of God,

and other grievous Pains; from the Commission of which Wickedness the King ought to restrain his Officers.

[6] Ib. E. 7. a.

After these Grievances [6] the Pope complains, he had often sent and wrote to the King for Redress, but could never receive any Answer from him; therefore lest the Glory of Ecclesiastick Liberty, which was the Gift of Heaven, should be sullied, (*ne Ecclesiastica Libertatis gloria, celestis muneris dono concessa, in vestris, regno & terris, in vestra salutis & honoris dispendium maculetur, &c.*) the Pope renewed the same Exhortations with Paternal Affection, intreating, admonishing, and persuading, in him that gives Health to Kings, (*in eo qui Regibus dat salutem*) that he would not suffer these Grievances, Injuries, and Troubles to be done, but that he by his Royal Protection would defend and cherish the Churches, and Persons themselves, for the Divine Reverence of the said See and of the Pope (*pro divina dicte sedis, & Domini nostri summi Pontificis reverentia*).

And then he demands the Annual Sum of Rent of 1000 Marks per Annum, which he was bound to pay to the Roman Church, and the Arrears of it for about 15 years in his Father's time and his.

[7] Ib. a. & b.

The [7] Pope concluding and closing with Devout Prayers and Humble Supplications to his Royal Highness and Magnificence, seriously to consider how his Progenitors, Kings of England, that duely Honoured God, and his Spouse the Church, enlarged their Government, (*qualiter progenitores vestri, Reges Anglie, qui Deum & Ecclesiam sponsam suam debite honorabant, principum suorum culmina laus diffundebant, &c.*) and how Peace and Quiet prevailed in their times, and how the Kingdom then abounded in Wealth. How also in the times of those Kings, who stopt their Ears to the Admonition of the Church, and by an elated, or proud Obstinacy, despising her Advice, and not regarding her Exhortations, brought upon themselves and Kingdoms great Troubles and Dangers. And therefore to avoid them, presseth him effectually to compel his Officers and Ministers to abstain from acting such Grievances, and to protect and defend the Churches, and Ecclesiastick Persons, and to pay the whole Pension or Rent, as he was obliged.

[8] Append.
n. 77.

After the delivery of these (*Gravamina*) Grievances, by the Pope's Command, he sent [8] to him a very formal Account of it, and the King's Answer; That he had frequently Treated about the Execution of his Command, with some of his Suffragan Brethren that had received the like, and that afterwards on the 3d of the Kalends of March, or 27th of February, in the presence of the Patriarch of Jerusalem, his Brother Suffragans, the Bishops of London, Winton, Sarum, Lincoln, Norwich, Chichester, Worcester, Exeter, Bath and Wells, and St. Davids, and of some Earls and Barons of the Kingdom, he declared the Contents of his Mandate to the King, and delivered them to him written in Latin and French, with Exhortations and Admonitions; And that because the King said he would deliberate upon them, he came

came to him again, with some of his Brethren, on the Ides or 15th of March, to receive his Answer, who not appearing after long waiting, he sent the Bishop of Worcester, then Lord Treasurer, to him, and desired he would give an agreeable and convenient Return to the Roman Church, and to him, concerning the things declared and delivered to him; That at length he let him know by the Lord Treasurer, and John de Longham, a Frier Preacher and his Confessor, That he could not make Answer then, for that the Contents of the Mandate not only touched him, but all the Earls, Barons, and Great Men of the Kingdom, with whom he could not then Treat, as was necessary to be done; but hoped he might in a short time: That at last the King, with his Council, on the 2d of the Kalends of April, or 21st of March, answered in this Form; That saving the Right of his Crown in as much as he could, he would in all things, as a Devout Son of the Church, obey him, and the Holy Apostolick See; Adding, That before the notice of these Letters, there had been Discord raised between some Great Men of his Kingdom, which was not yet composed, for which reason he could not fully Deliberate, so as to give a suitable Answer to all things in his Mandate, but so soon as the Differences between the Noblemen were made up, he intended to call a Council of his Kingdom, and send such Answers by his own Messengers, before the time prefixt for a General Council, as might be pleasing to God, acceptable to him, and the Apostolick See, advantageous to Holy Church, and to his own and the Kingdom's Profit and Honour.

In the Twelfth of his Reign he prohibited [9] the Arch-Bishop of Canterbury, the Prelates and Clergy, That in their principal Synod to be held at London, they should not attempt to do, or ordain any thing against his Crown and Dignity, or against the State of the Kingdom; but if they had any thing to Prosecute or Determine concerning the State of the Church, themselves, or himself, it should be Transacted in the next Parlement he had then summoned to meet at Lincoln.

In the [1] Fifteenth year likewise, he commanded the Arch-Bishop of Canturbury, and the other Prelates, that were to meet in the Provincial Council to be held at London, That they should not determine, do, or any ways ordain any thing prejudicial to himself, the State of his Crown, or his Kingdom.

There having been frequent Prohibitions directed to the Ecclesiastick Courts, and many Doubts raised, about what Pleas might be holden in them, the King [2] wrote to his Justices, That Pleas merely Spiritual, as punishment for Mortal Sin, such as Fornication, Adultery, and the like, of which the punishment was sometimes Corporal, sometimes Pecuniary, especially if the Convict was a Freeman.

Also the punishment for the Church-Yard not being well fenced, or the Church not being in good Repair, or Decently Beautified, in which Cases Pecuniary Punishments could only be inflicted.

[9] Append.
n. 73.

[1] Ib. n. 79.

[2] Ib. n. 80.

Also if the Rect^r demanded of his Parishioners *Oblations*, due and accustomed *Tithes*, or if one Rect^r sued another for great *Tithes*.

Also if a Rect^r demanded a *Mortuarie*, where it was due.

Also if a *Prelate*, or *Patron* of a *Church*, demanded a *Pension* due from the Rect^r.

Also for laying *violent hands* on a *Clerk*, or *defaming* him, were within the *Cognisance* of an *Ecclesiastick Judge*, notwithstanding his *Prohibition*; and these were the *Heads* of such things, and *Pleas*, as were then *controverted* between, and *claimed* by, both *Ecclesiastick* and *Secular Judges*.

Taxes in this KING's Time.

In Rot. Cap.
in Custod. Cler.
pipe Temp.
Edw. II.
Clau^s 1. Ed. II.
M. 12. intus.

IN the *Parlement* at *Northampton*, in the First of his Reign, the *Earls*, *Barons*, *Knights*, and all others of the Kingdom, (& omnes alii de Regno) or Government, granted to the King a Twentieth part of their *Moveables*, except their *Armor*, *War Horses*, *Jewels*, *Robes*, and *Vessels* of *Gold* and *Silver*, of *Knights* (*Militum* & aliorum liberorum hominum) and other *Freemen*, and of their *Wives*. The *Citizens*, *Burgesses*, and *Tenents* of the *ancient Demeasns* of the *Crown* granted a *Fifteenth* part of their *Moveables*, as also did the *Clergy*.

Clau^s 3 Ed. II.
M. 23. in Gid.

In his Second year, at a *Parlement* holden at *Westminster* a Month after *Easter*, the *Laity* granted a Twenty fifth of their *Moveables*.

In Rot. Camp.
ut supra.

In the Seventh year, in his *Parlement* at *Westminster*, the *Earls*, *Barons*, *Knights*, *Freemen*, and the *Communities* of *Counties*, gave a Twentieth part of their *Goods*; and the *Citizens*, and *Burgesses*, and *Communities* of *Cities*, and *Burghs*, gave a *Fifteenth*.

Rot. Pat.
8 Ed. II. M. 12.
Dor^s Part 2.

In his Eighth year he had a Twentieth part of the *Moveables* of the *Laity*, granted by the *Communities* of *Counties* of the Kingdom (*per Communitates Comitatum Regni*) in *Parlement*.

Rot. Parlm.
9 Ed. II. n. 2.

In his Ninth year he had granted a *Fifteenth* of *Citizens*, *Burgesses*, and *Tenents* in *ancient Demeasns*, for his *War* with the *Scots*, in the *Parlement* held at *Lincoln*, the *Community* of the Kingdom, or the *Military Men*, being summoned to do their *Service* then.

* Rot. Clau^s.
15 Ed. II.
M. 16. Dor^s.

In the Fifteenth year of his Reign the King * summoned a *Parlement* to meet at *Tork* three weeks after *Easter*; and after the end of this *Parlement*, and after the 7th of *July* next following, he directed his *Writs* to the *Prelates* and *Clergy* to meet at a *Provincial*

vincial Council at *Lincoln*, which the *Arch-Bishop* of *Canterbury* was immediately to summon to Treat of a *Competent Aid* to be granted to him, toward his Expedition against the *Scots*, who had invaded *England*; in which *Writs*, as it were for a *Direction*, he * recites what the *Earls*, *Barons*, *Noblemen*, and the *Communities* of the Kingdom had done in the *Parlement* at *Tork*, viz. That they had granted him a Tenth of the *Goods* of the *Community* of the Kingdom, and a Sixth part of the *Goods* of *Citizens*, *Burgesses*, and *Tenents* of *ancient Demeasns*, * *Prelati*, *Comites*, *Barones*, & *proceres*, necnon. *Communitates* *Dic^ti Regni apud Eborum*, ad tractandum super dic^tis negotiis & aliis nos & statum dic^ti Regni tangentibus, nuper Convocati decimam de Bonis de Communitate ejusdem regni, & sextam de Civitatibus, Burgis, & Antiquis Dominicis nostris nobis liberaliter concesserunt & grater.

* Rot. Clau^s.
16 Ed. II.
M. 20. Dor^s.

* Ibid.

The Issue of Edward II. by Isabell, Daughter of Philip the Fair King of France.

ON the Day of *St. Brice*, or 13th of *November*, his Eldest Son *Edward*, who succeeded him by the Name of *Edward* the Third, was born at *Windfor*.

A. D. 1312.
Ed. II. 12.
Walsingh. Hist.
f. 102. n. 30.

In the year 1315, his Second Son *John* was born at *Elham* (from whence his Title) on the Assumption of the *Virgin Mary*, in the Eighth of his Father's Reign, he was Created *Earl* of *Cornwall*, and after several Matches propounded for him, died unmarried, about the 20th year of his Age.

Ihm. Hypodig.
Newr. f. 502.
n. 30, 40.

Joan his Eldest Daughter, Married to *David King* of *Scots*, when both Children, and after being his Wife 28 years, died without Issue.

Sandford, Genealog. Hist.
c. f. 155.

Elean^r Dutches of *Gueldres* his Second Daughter, the Married *Reynald* Second *Earl* of *Gueldres*, who was Created *Duke* of *Gueldres*, by the *Emperor Lewis* of *Bavaria*; by her he had Two Sons, *Reynald* and *Edward*, who were both *Dukes* successively after him, and died without Issue.

Ibm.

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CONTINUATION

Of the Compleat

History of England, &c.

King EDWARD the Third.

The young King managed by the Queen, Mortimer, &c. The Adherents to the Earl of Lancaster petition [1] Append. n. 82. to be restored to their Lands, &c. They were all Friends to, and Assistants in this Revolution.

[2] Stat. at Large, 1 Ed. III. The first thing printed, f. 77. All that came over with the Queen & her Son pardoned, and those that joined them after their arrival.

THis Young Man at the Age of Fourteen Years being placed in the Throne of his Father, then living and in Prison, as hath been related in the latter end of the former Reign, was, with all the Affairs of the Nation, managed by the Queen, with the Advice of Roger Mortimer chiefly, and other Privado's in their Designs, who had been all Favourers and Abettors of the Cause and Quarrel of Thomas Earl of Lancaster; whose Adherents being all Friends to, and Assistants in this Revolution, on the 2d of [1] February, two Days after the Coronation, Petitioned the King and his Council in that Parlement, which had Deposed his Father, then Sitting at Westminster. That being of the Quarrel of the Noble Earl of Lancaster (*estant de la Querelle le Noble Counte de Lancastre*) and therefore wrongfully Imprisoned, Banished, Disherited, and otherwise treated, with the Issues of them, from the time they had been wrongfully diseised. And it was granted by the Assent of the whole Parlement, That all the Lands and Tenements, which had been seized by reason of that Quarrel or Contention, which was affirmed to be good by the whole Parlement (*la quelle Querelle par tot le Parlement est afferme bone*) as well in Ireland and Wales, as in England, should be Restored, with their Issues and Arrears of Rent; except those that had been Received to the King's Use.

On the same Day [2] all those that came over with the Queen and her Son, and those that joined with them after their arrival, were also pardoned, &c. The long Preamble to that Pardon, Statute, or Grant, is worth notice, as containing the Covenants, Promises, and Suggestions of all the Contrivances and Designs against Edward the Second; in these Words:

Whereas Hugh Spenser the Father, and Hugh Spenser the Son, late at the Suit of Thomas Thun Earl of Lancaster and Leicester, and Steward of England, by the Common Assent and Award of the Peers and Commons of the Realm, and by the Assent of King Edward, Father to our Sovereign Lord the King that now is, as Traitors and Enemies of the King and his Realm, were Exiled, Disherited, and Banished out of the Realms for ever; and afterwards the same Hugh and Hugh

by Evil Counsel which the King had taken of them, without the Assent of the Peers and Commons of the Realm, came again into the Realm; and they with others procured the said King to pursue the said Earl of Lancaster, and other Great Men and People of this Realm; in which Pursuit the said Earl of Lancaster, and other Great Men and People of this Realm, were willingly Dead and Disherited, and some Outlawed, Banished, and Disherited, and some Disherited and Imprisoned, and some Ransomed and Disherited; and after such Mischief, the said Hugh and Hugh, Master Robert Baldock, and Edmond late Earl of Arundel, usurped to them the Royal Power, so that the King nothing did or would do, but as the said Hugh and Hugh, Robert, and Edmond Earl of Arundel, did counsel him, were it never so great Wrong: During which Usurpation, by Dureffe and Force against the Will of the Commons, they purchased Lands, as well by Fines levied in the Court of the said King Edward as otherwise. And whereas after the death of the said Earl of Lancaster, and of other Great Men, our Sovereign Lord the King that now is, and Dame Isabel Queen of England his Mother, by the King's Will and Common Counsel of the Realm, went over into France, to Treat a Peace between the Two Realms of England and France, upon certain Debates then moved; the said Hugh and Hugh, Robert, and Edmond Earl of Arundel, continuing their Mischief, encouraged the said King Edward against our Sovereign Lord the King that now is his Son, and the said Queen his Wife; and by the Royal Power which they had to them encroached, as afore is said, procured so much Grievance, by the Assent of the said King Edward, to our Sovereign Lord the King that now is, and the Queen his Mother, then being beyond Sea, that they remained as forsaken of the said King Edward, and as exiled from this Realm of England. Wherefore it was necessary for our Sovereign Lord the King that now is, and the Queen his Mother, being in so great Jeopardy of themselves, in a strange Country, and seeing the Destruction, Damage, Oppressions, and Disherisons, which were notoriously done in the Realm of England, upon Holy Church, Prelates, Earls, Barons, and other Great Men, and the Community, by the said Hugh and Hugh, and Robert Earl of Arundel, by the encroaching of such Royal Power to them, to take as good Counsel therein as they might: And seeing they might not remedy the same unless they came into England with an Army of Men of War, and by the Grace of God with such Puissance, and with the help of Great Men and the Commons of the Realm, they have vanquished and destroyed the said Hugh and Hugh, Robert and Edmond. Wherefore our Sovereign Lord King Edward that now is, at his Parlement holden at Westminster at the time of his Coronation, on the morrow after Candlemas, in the First Year of his Reign, upon certain Petitions and Requests made to him in the said Parlement, upon such Articles above rehearsed, by the Common Counsel of the Prelates, Earls, Barons, and other Great Men, and by the Community of the Realm, there being by his Commandment, hath Provided, Ordained, and Established, in Form following:

First, That no Great Man nor other, of what Estate, Dignity, or Condition he be, that came with the said King that now is, and with the Queen his Mother, into the Realm of England, nor none other then dwelling in England, that came with the said King that now is, and the Queen, in Aid of them to pursue their said Enemies, in which Pursuit

Pursuit the King his Father was taken, and put in Ward, and yet remaineth in Ward, shall not be Impeached, Molested, nor Grieved in Person, nor in Goods, in the King's Court, nor other Court, for the Pursuit of the said King, taking and withholding of his Body, nor Pursuit of any other, nor taking of their Persons, Goods, nor Death of any Man, or any other things perpetrate or committed in the said Pursuit, from the Day that the said King and Queen did arrive, till the Day of the Coronation of the same King.

What follows in this Statute, is not much to our purpose: Those concerned in the Conspiracy against, and Design upon the King, thought them well covered by this Preamble, and themselves well secured by this First Chapter.

After the end of this Parliament, there were [3] Commissioners sent to the Borders of Scotland to Treat of Peace; but the Scots refused to Treat with them, and not only so, but brake the Truce which had been made with King Edward II. raised an Army, and invaded England. [4] The Young King and his Mother raised an Army, and with the Stipendiary Strangers marched against them, and had almost inclosed them in Stanhop-Park, in the Bishoprick of Durham; yet in the Night they escaped, and got into their own Country, but threatened to return again: Wherefore, for the Defence of the Kingdom and other Matters, there was a Parliament called, to meet on the morrow of Holy Cross, or 15th of September, at Lincoln. The [5] Writ in which most of this Relation is contained, bears Date at Stanhop, Aug. 7.

In their March towards the Scots, the Haynalters Domineering over the English, they Quarrelled at York, where many were killed, and the most English; whether for fear of the English, or for what other Reason, the Haynalters and other Foreigners [7] left England not long after, well Rewarded with Gold and Silver by the Queen and Mortimer, and others of their Faction.

What was done in this Parliament, I find not. This Year there was another [8] Summoned to meet at York, on the next Sunday after the Purification of the Virgin Mary, to Treat of certain Articles propounded and declared between the Two Nations at Newcastle; but nothing was done at this Parliament, the Bishops and other Great Men not appearing; and therefore, as is expressed in the Writ [9] Dated March 5. next following, he called another Parliament to meet three Weeks after Easter at Northampton. In this Parliament [1] says *Marynath*, and *Walsingham* from him (*facta fuit turpis Pax inter Anglos & Scotos*) there was made a shameful Peace between the English and Scots, by the Direction and Contrivance of the Queen and Roger Mortimer, by which David, Son and Heir to Robert Bruce King of Scotland, was to release all his Right and Claim of Superiority, that he and his Progenitors had in the Kingdom of Scotland, and to deliver up all Charters and Instruments concerning the same. Some great Matters having happened after this Parliament that required great Advice, there was a [2] Writ issued, Aug. 28. for another to meet at Salisbury, on the

[3] Rot. Clauf. 1 Ed. III. M. 16. Dors.

The Scots refuse to treat of a Peace.

They break the Truce with England.

[4] Walf. f. 127. n. 40.

They make their escape from Stanhop-Park.

[5] Rot. Clauf. ut supra.

The English and Haynalters quarrel.

[6] Knighton, col. 2554. n. 50.

Walf. ut supra. The Haynalters &c. leave England.

[7] Ibid. c. 2552. n. 40.

[8] Rot. Clauf. 1 Ed. III. M. 3. Dors.

[9] Rot. Clauf. 2 Ed. III. M. 31. Dors.

A Parliament at Northampton.

[1] In A. D. 1327.

A shameful Peace made with the Scots.

[2] Rot. Clauf. 1 Ed. III. M. 15. Dors.

A Parliament at Salisbury.

the Sunday next after the Quinden of St. Michael. In this Parliament [3] there were made [3] three Earls, John of Eltham, the King's Brother, Earl of Cornwall, Roger Mortimer Earl of the Marches of Wales, and the Butler of Ireland Earl of Ormond. [4] To this Parliament the Earl of Lancaster, the Lord Wake, and other Noblemen, came not, tho' they came armed near to the Place. [5] These new Earls and their Adherents raised a great Army for Queen Isabel against Henry Earl of Lancaster, and other Great Men, who had not consented to their wicked Deeds, and with a great Force of English and Welsh marched to Leicester, and there plundered and spoiled the whole Country. The Earl of Lancaster was then in the South parts of the Nation with great Force, and marching toward Roger Mortimer and his Army, encamped near Bedford, intending to give him Battel, where the King's two Uncles [6] Thomas of Northampton and Edmund Earl of Kent, left him, and submitted themselves to the Queen-Mother and Mortimer. Seeing himself thus deserted, he made his Submission to the King before the whole Army, and was by the Mediation of Simon Arch-Bishop of Canterbury, and other Bishops, reconciled to him, [7] making Oath with others in his Company, and giving Security by Recognisances, 'That he nor they should attempt any thing upon the Bodies of the King, the two Queens, nor of any others great or small of their Council, or that were about them; nor should do, or procure to be done, any Evil, Injury, or Damage unto them, privately or openly, nor Assent to the doing thereof.'

On the 25th of [8] January, the First Day of the Fourth Year of his Reign, the King Summoned a Parliament to meet at Winchester, on the Sunday before St. Gregory, or 13th of March, where on [9] the morrow of that Feast, or 12th of that Month, the Earl of Kent was seized, and adjudged to Death. 'Tis not agreed amongst the Historians about the Cause of his Death: Most report it was for his Designing to set his Brother King Edward II. at Liberty, being then, as was reported, and by him supposed, to be living, and Prisoner in Corfe-Castle. In the Articles against Mortimer (presently to be mentioned) 'tis urged upon him, That he was the Author of the Report to the Earl of his Brother's not being dead; and that he invented it to trick him out of his Life.

Edmund, Son and Heir to Edmund Earl of Kent, and his Mother Margaret Countess of Kent, * requiring the Record made against the said Earl, might, for the Errors therein, be revoked, set forth in their several Petitions, That his Father and her Husband was informed by Roger Mortimer, Sir John Maltravers, and other his Accomplices, That King Edward was alive, after he was Murdered, with design to deceive him into a pretended Contrivance with them, to release and deliver him out of Prison, for which he lost his Life and Estate in the Parliament at Winchester, as Mortimer confessed to the People at his Death, and that he died wrongfully. Whereupon Edmund was Restored to the Blood and Lands of his Father, and the Countess to her Dower.

[3] Walf. f. 129. n. 10.

Three new Earls made in this Parliament.

[4] Ibid.

[5] Knighton, col. 2554. n. 10, 20, &c.

They raise an Army for the Queen against the Earl of Lancaster.

[6] Ibid. n. 40, 50.

The King's two Uncles leave the Earl of Lancaster.

Thus deserted, he makes his Submission.

[7] Clauf. 3 Ed. III. M. 31. Dors.

[8] Clauf. 4 Ed. III. M. 41. Dors.

A. D. 1329.

A Parliament at Winchester.

[9] Walf. f. 129. n. 20, 30.

The Earl of Kent adjudged to death in that Parliament.

For intending to deliver his Brother King Edward out of Prison.

* Rot. Parl. 4 Ed. III. n. 11, 12.

His Son restored to the Blood and Lands of his Father.

' might have hapned, out of regard to the King, departed and
' went toward their own Countries, grieving that they might
' not speak with, or advise their Liege Lord as they ought.

4. ' Also, The said Roger by the said usurped Power, caused
' the King to march forcibly against the Earl, and other Peers of
' the Land, which were appointed to be with the King to Ad-
' vise him; and so persecuted them with Force, that the said
' Earl and some others of his Company that wished Good to the
' Kingdom, submitted to the King's Grace, saving to them Life
' and Member, and that they might not be Disherited, nor have
' too great a Fine set upon them; yet he caused them to be Fined
' so grievously, as half their Lands, if sold right out, would only
' pay it; and the others he caused to be driven out of the Nation,
' and their Lands to be seized, against the Form of the Great Char-
' ter and Law of the Land.

5. ' Also, Whereas the said Roger knew well the King's Father
' was Dead, and Buried, he by others of his Party in deceivable
' manner, informed the Earl of Kent that he was alive; where-
' fore the Earl being desirous to know whether it was so or not,
' used all the good ways he could to discover the Truth; and so
' long as the said Roger, by his usurped Royal Power, caused
' him to be apprehended in the Parlement holden at Winchester;
' and so pursued him, as in that Parlement he procured his
' Death.

' ' Also, The said Roger, by his usurped Royal Power, cau-
' sed the King to give to him and his Children, and Confede-
' rates, Castles, Towns, Mannors, and Franchises, in Eng-
' land, Ireland, and Wales, in Decrease of the Revenues of the
' Crown.

7. ' Also, The said Roger in deceivable manner caused the
' Knights of Shires, at the Parlement at Winchester, to grant to
' the King one Man at Arms of every Town of England, that
' answered in Eyre by Four and the Provost, at their cost, for a
' Year in his War in Gascoigne; which Charge he contrived for
' the Advantage of himself and Party, in Destruction of the
' People.

8. ' Also, The said Roger by his Power, caused Summons to be sent
' to many great Knights, and others, That they should come to
' the King where-ever he was; and when they came, he caused
' them to be charged to prepare themselves to go into Gascoigne,
' or Fine at his Pleasure; which Fines were for the Benefit of him
' and his Party.

9. ' Also, The said Roger falsely and maliciously made Discord
' between the King's Father and his Queen; and possessed her,
' That if she went to him, she should be killed with a Dagger,
' or otherwise Murdered: And by this way, and his other Sub-
' tilties, he so ordered it that she would not come at her Lord;
' to the great Dishonour of her Son and self, and great Damage
' to

' to the whole Realm, perchance in time to come, which God
' forbid.

10. ' Also the said Roger by his Usurped Royal Power, had
' caused to be taken for him and his Party, the King's Treasure,
' as much as he pleased, without Tale, in Money and Jewels, in
' destruction of the King, so as he had not wherewithall to pay
' for his Viuals.

11. ' Also the said Roger by the said Power, caused to be
' shared by him and his Confederates the 20000 Marks which
' came out of Scotland for the Articles of Peace, without any
' thing received by the King.

12. ' Also the said Roger by his Royal Power, received the
' King's Duties, and Purveyance thro the Kingdom, as if he had
' been King, and he and his Party had with them double the
' Company of Men and Horse that were with the King, in de-
' struction of the People, not paying for their Quarters more
' then they pleased.

13. ' Also the said Roger by his Royal Power caused the King
' to grant to the Mounting of 200 Irish, of those that killed the
' Great Men and others, which were in the King's Faith, whereas
' the King ought immediately to have Revenged their Deaths,
' rather then Pardoned them, contrary to the Statute and Assent
' of Parlement.

14. ' Also the said Roger contrived to have destroyed the
' King's Secret Friends, in whom he had most Confidence; and
' he furnished to the King in the presence of the Queen his Mo-
' ther, the Bishops of Lincoln and Salisbury, and others of his
' Council, That his said Secret Friends had excited him to Com-
' bine with his Enemies beyond Sea, in Destruction of the Queen
' his Mother, and of him the said Roger, and this he affirmed so
' impudently upon the King, as he could not be believed, against
' what he had said; And for these things he had been appre-
' hended, and for many others not as yet fit to be declared;
' Wherefore the King charged the Earls, and Barons, the Peers
' of the Land, as these things concerned himself, themselves,
' and all the People of the Realm, to do right and true Judg-
' ment upon him, for the Crimes above-written, as notorious,
' and known to be true, to themselves, and all the People of the
' Kingdom.

The Earls, Barons, and Peers, having Examined the Articles,
came into Parlement before the King, and they all delivered their
Opinion by one of their Peers, That all things contained in the
Articles were notorious and known to themselves and the People,
wherefore they as Judges in Parlement by assent of the King, did
Steward and Judge the said Roger as Traitor and Enemy to the King
and Kingdom, to be Drawn and Hanged, and commanded the
Earl Marshall to Execute the Judgment, and to the Major, Alder-
men, and Sheriffs of London, the Constable of the Tower, and those
who

The Peers O-
pinion con-
cerning the
Articles a-
gainst Mar-
tins.

The Judg-
ment against
Martins.

* Monday the 26th of November was the first day of this Parliament, St. Katherine, being the arch. See the Summons in Appen. n. 82.

[8] Rot. Parl. 4 Edw. III. n. 2. Simon Boreford charged as a Confederate with Mortimer.

Adjudged to be Drawn and Hanged.

[9] Ib. n. 3. John Maltravers Practise and Contrivance against the Earl of Kent.

Judged to be Drawn, Hanged, and Beheaded. A Thousand Marks to him that should take him alive. Five hundred Pounds for his Head. [1] Ib. n. 4. The same Judgment against Bogo de Bayens, and John Deverail.

who had the Guard of him, to be aiding to the Earl Marshall at the Execution, which was done on Thursday next after the * first day of the Parlement, being the 29th day of November. He was not brought to Answer, but Condemned without hearing, and for that reason this Judgment was Reversed as Erroneous, and made void by Act of Parlement, and his Grandchild Roger Restored to his Title and Estate, Rot. Parl. 28 Ed. III. n. 8, 9, 10, 11, 12.

In the [8] same Parlement, the King charged the Earls, Barons, and Peers, to give right and true Judgment against Simon de Bereford Knight, who had been aiding and advising to Roger Mortimer, in all the Treasons, Felonies, and Wickednesses, for which he was adjudged to Death, as it was notorious and known to the said Peers, who came before the King in Parlement, and said all with one Voice, (*& disrent tous come d'une voice*) that the said Simon was not their Peer, wherefore they were not bound to Judge him as Peer of the Land, but for that it was a thing notorious and known to all, that he was aiding and advising to the said Roger in all the Felonies, Treasons, and Villanies abovesaid, which were in Usurpation of Royal Power, Murder of the Liege Lord, (Murder of Seigneur Lige) and destruction of Royal Blood, and that he was guilty of divers other Felonies, and Robberies, and principal Maintainer of Robbers and Felons, they as Peers and Judges of Parlement, by Assent of the King, do Award and Adjudge him, as Traitor and Enemy to the King and Realm, to be Drawn and Hanged; and the Earl Marshall had Command to do Execution, which was done on the Monday next after the Feast of St. Thomas the Apostle.

All the Peers, Earls, and Barons in this [9] Parlement agreed, That John Mantravers was guilty of the Death of Edmond Earl of Kent, the King's Uncle, as he that chiefly, traitorously, and falsely compassed it; and whereas he knew King Edward was dead, he cunningly, and by his false and wicked Subtleties, made the Earl think and believe King Edward was alive, the which false Contrivance was the cause of all the ensuing Evils, wherefore as Peers and Judges of Parlement they award the said John to be Drawn, Hanged, and Beheaded as a Traytor, when he should be found; and prayed the King to issue his Proclamation, That any one who could take him alive, and bring him to the King, should have 1000 Marks, and if he could not be taken alive, he that should bring his Head should have 500 l. of the King's Gift.

Further, [1] the same Judgment was given against Bogo de Bayons, and * John Deverail, for the same Cause, and he that could take Bogo alive, and bring him to the King, should have 100 l. or bring his Head should have 100 Marks, and he that could take John alive, and bring him to the King, should have 100 Marks, or could bring his Head, should have 40 l.

* This John Deverail or Dausel, was a Creature of Mortimer's, and Governor of Carlisle, where 'twas reported King Edward was, who being sent to by the Earl of Kent, told the Messenger he was there, alive and well, but that no body might see or speak with him, but such as were sent by the Queen, or Mortimer.

The

The same Judgment [2] was given against Thomas de Gurney, and William de Ocle, for the Death of King Edward, Father of the King that then was, (*pur la mort le Roi Edward, pere nostre Seigneur, &c.*) That they falsely and traitorously Murdered him; and he that could take Thomas alive was to have 100 l. or bring his Head 100 Marks; he that could bring William Ocle alive was to have 100 Marks, or his Head 40 l.

Amongst the Pleas of the Crown in this [3] Parlement is contained the Arraignment of Thomas de Berkele Knight, for the Death of King Edward the Second; for that the said King was committed to the keeping of the said Thomas and John Mantravers in the Castle of the said Thomas at Berkele, when he was Murdered. The said Thomas saith, That at the time of the Murder of the said * King, he was sick at Bradelye, without the said Castle, and knew not what was done, nor was consenting thereunto, and thereupon put himself upon his Tryal by Twelve Knights named in the Record, who found him Not Guilty, nor that he fled, or withdrew himself upon it, but that he placed under him Thomas de Gurney and William de Ocle, to keep the King, by whom he was Murdered; he had Day given him to hear his Judgment in next Parlement, and the mean time, was committed to Ralph Nevill, Steward of the King's Household.

In this [4] Parlement Richard Eldest Son to the late Earl of Arundel, prayeth to be restored to Blood, Lands, and Goods, seeing his Father was put to Death, not being tried by his Peers according to the great Charter and the Law of the Land: But because the Attainder was confirmed by Parlement at Northampton, he mended his Petition, and prayed to be restored of the King's meer Grace, and he was accordingly restored.

Also in the [5] same Parlement, the Prelates, Earls, and Barons, pray and advise the King to give and grant 1000 l. per Annum to William Montacute and his Heirs for his Service, in quietly taking Roger Mortimer Earl of March, and his Confederates, without Bloodshed, a 1000 Marks whereof was to be out of the Lands of Mortimer.

Upon the same Prayer and Advice his Assistants [6] Edward Bohun had 400 Marks per Annum to him and his Heirs, Robert de Ufford 300, and John Nevill 200.

In the 5th year of his Reign the King called a Parlement at Westminster, to [8] meet on the morrow after Michaelmas. The Bishop of Winchester being Chancellor, [9] declared the cause of Summons to be concerning the Duchy of Aquitan, and the King's Lands beyond Sea, whether Peace should be made, or other Issue put to the Disputations between the King's of England and France, by reason of the said Lands; and also about the Business of Ireland, concerning the King's going thither, to be advised by his Lieges in that Nation; and likewise to ordain how the Peace might best be kept: When also it was agreed, That the King's Business

[2] Ib. n. 5. The same Judgment against Thomas de Gurney, and William de Ocle, for the same cause.

[3] Appen. n. 84. Thomas de Berkele Arraigned, found not guilty.

* Note, That so often as Ed. the II. is any way mentioned in this Record, he is acknowledged to have been King at the time of his Murder.

[4] Rot. Parl. 4 Ed. III. n. 13. Richard Son to the Earl of Arundel, restored to Blood, Lands, and Goods.

[5] Ib. n. 14. A Thousand Pounds per Annum given to William Montacute, for taking Mortimer without Bloodshed.

[6] Ib. n. 15. His Assistants were likewise Rewarded.

A. D. 1331. [8] Cf. 5 Ed. III. M. 7. Dof. Part. 1. [9] Rot. Parl. 5 Ed. III. n. 2. A Parlement called about the Business of France and Ireland. And to ordain how the Peace might be kept.

The King's Business in Parliament to be dispatched before any other.

[1] Ib. n. 3. The Lords Advise the King to an Amicable Treaty with the King of France about the Duchy of Aquitan, &c.

[2] Ib. n. 4. The Lords Advise the King to go in Person to Ireland.

[3] Ib. n. 9. The Queen Mother to have Lands and Rents of the value of 3000 l. a year assigned her.

[4] Ib. n. 10. An Agreement how the Peace was to be kept.

[5] Rat. Clauf. 6 Ed. III. M. 36. Dof. A. D. 1331. A Parliament called.

Business ought to be dispatched before any other, & *auxint, illoques feust Accordé que les Buisoignes le Roi denſeient primerement estre exploitez, einz ce que Rien feust fait de nully autre Buisoign.*

The Chancellor further [1] applied himself to the Arch-Bishop of Canterbury, and all the other Prelates, Earls, Barons, (& autres Grantz) and other Great Men, for their Advice, whether they thought it best, for the King to proceed with the King of France by way of Process, or War, or Amicable Treaty; They all agree in the 3d way, by amicable Treaty with the King of France for the Restitution of Aquitan, seeing the two former might prove dangerous; and to that purpose the Bishops of Winchester, Worcester, and Norwich, two or one of them, as the King pleased, with the Lords Beaumont, Percy, and Montague, Monsieur Geoffry Lescrop, and Maistre John de Shordich, were to be sent to the King of France.

As to the Business [2] of Ireland, it was agreed by the King, Prelates, Earls, Barons, and other Great Men in the same Parliament, (*si est accordé par nostre Seigneur le Roi, Prelates, Countes, Barons, & autres Grantz en Mesme le Parlement, &c.*) That the King should provide himself to go thither, as soon as he could, and that in the mean time he should send over some Great Men, with Men at Arms, to aid the Justices, and other Liege People, against such as opposed the Government.

In this Parliament [3] the King by assent of the Prelates, Earls, Barons, and other Great Men, and at their Request, granted, That the Queen his Mother, not being well paid according to her mind Three thousand Pounds (*trois mill livres*) yearly, which she was to receive out of the Exchequer for her support, should have Lands and Rents of the value assigned to her.

Then for keeping of the Peace it was [4] agreed in full Parliament, by the King, Prelates, Earls, Barons, and other Great Men of the Kingdom, (*par nostre Seigneur le Roi, Prelat, Countes, Barons & autres Grantz du Royaume en pleyn Parlement chescun des ditz Grantz ent especialment examine & assentat, &c.*) every one of the said Great Men having been especially Examined and Assenting, That no Great Man of the Land for the future, shall retain, maintain, or avow, openly, or privately, by himself or others, any Robber, Evil-Doer, enſlaved of Felony, or Fugitive for the same, nor any sued to Exigend, Common Transgression, or of Evil fame; and the said Great Men promised with all their Power to assist the Justices, Sheriffs, and other the King's Officers, in the Execution of Judgments, and other things that belonged to their Offices, as well against Great Men, as others of what Condition soever they were.

On the 27th of January, in the 6th of his Reign, the King issued his [5] Writs for a Parliament to meet on the Monday after St. Gregory, or 12th of March, reciting in the Summons the Cause of calling it, which the Chancellor more fully declared;

[6] To

[6] To wit, That the King of France, and many other Kings and Princes, (*quampures alii Reges & Principes*, so in the Writ) had ordered his going toward the Holy Land, in that present Month of March, and that it much pleased him to have the Company of the King of England, for the greater performance against the Enemies of God, and for this purpose sent Letters and Messengers to the King, for whom he demanded the Advice of the Prelates, Earls, Barons, and other Great Men, in full Parliament, whether it was fit for him to Accompany the King of France or not.

After this Declaration [7] Monsieur Geoffry Lescrop, by Command of the King, and in his presence, before all the Prelates, Earls, Barons, and other Great Men, Reported, That the King was informed, and it was a notorious thing to them all, That divers People defying the Law, were gathered together in great Companies in destruction of the King's Lieges, the People of Holy Church, and the King's Justices, taking and detaining some of them in Prison, until to save their Lives, they had received great Fines and Ransomes, at the pleasure of the Evil-Doers, some they put to Death, and Robbed others of their Goods and Chattels, doing other Mischiefes, and Felonies; and thereupon the said Geoffry, on behalf of the King, charged the Prelates, Earls, Barons, and other Great Men, That by the Faith and Allegiance they ought him, they would Counsel him concerning his Voyage to the Holy Land, which he very much desired to undertake, with their Advice; and also how the Peace might be kept, and how those Rioters might be chastised and restrained from their Wickedness.

The first Care by the Advice of the [8] Prelates, Earls, Barons, and Great Men, was against these Wicked People; That the King should prosecute them by Law, Force, and all other good ways, which should be advised him; and accordingly Commissions were issued, to the best Men in the Counties, and Sheriffs, to apprehend and imprison, and raise the Poss Comitatus against them, and cause them to be Enſlaved and punished according to their Deserts.

And it was further [9] Agreed by the King, Prelates, Earls, Barons, other Great Men, the Knights of Shires, and Communes, (*par nostre Seigneur le Roy, Prelats, Countes, Barons, & autres Grantz, Chevaliers de Countees, Gentz du Commune, &c.*) That a Sentence of Excommunication ordered by the Prelates, and Clergy, should be pronounced against them in the Church of St. Paul in London, and sent to all the Bishops in England, to be also pronounced against them in their Dioceses.

First, [1] That all those who disturbed the Peace and Quiet of Holy Church, and the Realm, especially such as made Alliances, by Covenants, Obligations, Confederacies, or in any other manner, were Excommunicated, and so to remain.

Also [2] the Receivers, Favourers, and Defenders of them.

B b

Also,

[6] Rat. Parl. 6 Ed. 3 n. 5. To advise the King whether he should go to the Holy Land with the King of France.

[7] Ib.

Notorious Riots in the Nation.

The King demands Advice about his going to the Holy Land.

And how to chastise and restrain the Rioters.

[8] Ib. The Lords advise to prosecute them by Law and Force.

[9] Ib. They were likewise to be Excommunicated.

[1] Ib. n. 6. The Reason and Terms of the Excommunication, and who to be Excommunicated.

[2] Ib. n. 7.

[3] Ib. a. 8.

Also, [3] That all such *Covenants, Obligations, Confederations, and Alliances*, were made void, and annulled by the said Prelates, and that if any *Oath* was taken to confirm them, that was also declared void.

[4] Ib. n. 9.
The Lords
Answer about
the King's
going to the
Holy Land.
[5] Ib. n. 10.

As to his [4] going to the Holy Land, they all concluded the time assigned by the King of France, to be too short.

It was [5] further declared in this Parlement, on behalf of the King, by Monsieur *Geffry Lesclap*, That in the last Parlement, in the 5th of the King, at Westminster, it had been agreed, That the Debates moved between the Kings of England and France concerning the Lands beyond Sea, should be reconciled by Treaty, by way of Marriage, or any amicable manner; and that thereupon the King sent his Commissioners to the King of France, who Treated with him, and made Report to King Edward, That the King of France said to them, that if it pleased him to come to him Personally, he would do more favour to him than to any other, wherefore 'twas necessary to send speedily to the King of France; and for this purpose, he demanded the Advice of the Prelates, Earls, Barons, and other Great Men, in full Parlement, whether in case the Messengers with the King of France at their return, should inform the King his Affairs would be in a better condition, if he went over in Person, he should go or not, and in that respect all the Prelates, Earls, Barons, and other Great Men, consented to his going, in hopes all Obstacles of a Composure between them might be thereby removed, and much advantage accrew to him; They also assented, his Voyage into Ireland might be deferred until Michaelmas next coming, so as in the mean time some Men at Arms, and others, might be sent in Ayd of his good People there.

The Saturday next after the meeting of this Parlement it was Dissolved.

Upon the Peace made at Northampton, by the Contrivance of Mortimer and Queen Isabella to secure themselves, King Edward lost his Superiority over Scotland, and the English Noblemen and others the Lands and Estates they had there, some of whom, by consent of the rest, went into France to Edward Baliol, Son of John Baliol late King of Scotland, and brought him into England, at what time he claimed the Crown of that Kingdom as Heir to his Father, against David Son to Robert Bruce, [6] in which Claim, by the Mediation of his Friends, he was assisted by Edward King of England, who furnished him with a small Army of English, by which his Friends were encouraged to come to him, and after several of the Regents of Scotland, and Guardians of David and that Kingdom, as Thomas Randolph, James Douglas, Andrew Murray, and other Great Men of his Party, either dying, or having been killed or taken Prisoners, in the Engagements, Skirmishes, and Battles, between both Parties for the space of Two years, the Bruceans having always been worsted, tho most in number, and the greatest People, by the constant Assistance of the English,

Edward Baliol,
Son of John,
came out of
France into
England.
[6] Walpugh.
f. 131. n. 20,
30 Buchan.
f. 87. b. f. 88.
a. b. f. 89. a.
n. 30, &c.
Claims the
Crown of
Scotland, and
recovers it by
King Edward's
Assistance.
And was
Crowned at
Scone.

A

B

C

D

E

F

Edward Baliol was Crowned King on the 8th of the Kalends of September, or 25th of August 1332, at Scone, in the 6th of Edward the Third.

In the Second year of his Reign he made Recognition, and an Acknowledgment, That the Kingdom of Scotland was holden of the Kings, and Crown of England, by Homage Liege, and Fealty, as of their Sovereign Lord, by ancient Right, and also of the Manner of his doing Homage, and Swearing Fealty, in the presence and by assent of the Prelates, Earls, Barons, Knights, and others of his Kingdom in Parlement assembled at Edinburgh, holding his Hands between the King of England's, in these Words:

Jeo Edward par la Grace de Dieu Roi Descoce & des Isles aperteneances, Devenke vostre home liege par les dits Roialm, & Isles contre tous Gents que purront vivre & morir, & le dit Roi Dengleterre come Sovereign Seigneur des dits Roialm Descoce & Isles, recent nostre Homage en la form susdit. Et puis Apres entrafems en la foi de dit Roi Dengleterre Sovereign-Seigneur de dits Roialm Descoce & Isles touchees les Saints Evangeles par les paroles que sensuit; Nous seroms foial & loial, & foi & loialte porteroms a vos nostre treschier Seigneur Roi de Angleterre, & a vos heires come as Sovereigns Seigneurs de dits Roialm Descoce & Isles contre tous Gents que purront Vivre & Morir. Et voloms, grantoms, & obligeroms, nos & nos heires affair a nostre dit Seigneur le Roi Dangleterre & a ces heires Homage liege & Fealty en le formes suscrits, au chescun changement de Seigneur ou inuement dune part ou d'autre.

That is: I Edward by the Grace of God King of Scotland and the Isles thereto belonging, become your Liege Man for the Realm and Isles, against all People that can live and dye, and the said King of England received our Homage in the form above-said as Sovereign Lord of the Realm of Scotland and the Isles, and then afterwards we entred into the faith of the said King of England, Sovereign Lord of the said Realm of Scotland and the Isles, touching the Holy-Gospels by the Words that follow: We shall be true and faithful, and faith and truth bear, to our most Dear Lord the King of England, and to your Heirs, as Sovereign Lords of the said Realm of Scotland and Isles, against all People that live and dye; and we Will, Grant, and Oblige us, and our Heirs, to do to our said Lord the King of England, and to his Heirs, Homage, Liege, and Fealty, in the Forms above-written, upon every Change of a Lord, or Renewal of one part or the other. In the same Instrument he granted to King Edward Berwick, &c. In Witness whereof he made his Letters Patents, dated at Edinburgh, Febr. 12. A. D. 1333, in the Second of his Reign. The Original under the Great Seal of Scotland, is in a Box, intituled, *Scotia Tempore Regis Edwardi Tertii*, in a great Chest with that Title, in the old Chapter Houfe in the Cloyster at Westminster.

He doth Homage, and Swear Fealty to King Edward, &c. in the presence, and by consent of the Parlement of Scotland. See the Original here under noted where to be found.

The Form of his doing Homage.

And Swearing Fealty.

B b 2

In

Edw. King of Scotland grants to Edw. King of England 1000 l. per An. to him and his Heirs, for his Affiance, &c. with the Town of Berwick. By Assent of Parliament.

Other Towns, Castles, and Counties in Scotland given to K. Edward of England.

[7] Frejard, K. Edw. demands Berwick, and was denied. Du Chesne, f. 641. C. D. L. Bruce denied Homage to K. Edward.

As R. Bruce his Father had done to his Ancestors.

K. Edw. besieged Berwick. [8] R. de Arbury, p. 82. 2. c. 21. A. D. 1324. 8 Ed. III.

In the same Year of his Reign reciting that Edward III. by great Experience and Labour of him and his People, had given him great Assistance in the Recovery of his Inheritance, he granted for him and his Heirs, to give, assign, and deliver unto him 2000 l. yearly, Land and Rents, in the Borders where it should best please him. And in part of those 2000 l. yearly Rent, he gave, granted, and assigned the Castle, Town, and County of Berwick upon Tweede, with their Appurtenances, separate from the Crown of Scotland, and annexed to the Crown of England for ever. By Assent of the Prelates, Earls, Barons, Knights, and others of the Kingdom (*Et aliorum de Regno nostro*) in Parliament assembled. And in further full Satisfaction of the said 2000 l. per An. by the same Assent in Parliament, gave, granted, rendred, and assigned the Town, Castle, and County of Roxburgh, the Town, Castle, and Forest of Jedworth; the Town and Castle of Selkirk, the Forests of Selkirk and Etrick; the Town, Castle, and County of Edinburgh, with the Constabularies of Haddington and Linlithgow; the Town and County of Peebles, and Town, County, and Castle of Dunfer, with their Appurtenances, Knights, Fees, Services, with the Advowsons of Churches, Chapels, Religious Houses, Custody of the Temporalities in the time of the Vacation of Bishopsricks, and all things whatsoever belonging to them, with the Subjection and Government of the People in those Places; To hold them to him and his Heirs, separate from the Crown of Scotland, and annexed to, and incorporated with the Crown of England for ever. Dated at Newcastle upon Tyne, June 12. in the Second Year of his Reign. The Original under the Great Seal of Scotland is in the same Box above noted, and is confirmed by several Instruments in that Box under the Great Seal.

King Edward of England two Years before had [7] sent to David the young King of Scots, to deliver up to him Berwick as his Heritage and proper Right, and enjoyed by his Ancestors; and to come and do Homage for the Kingdom of Scotland, holden of his Crown. He consults his Barons and Great Men, according to whose Advice he gave the Ambassadors this Answer: That he greatly marvelled at what King Edward required, seeing there could no ancient Titles or Papers be found, by which it might appear that the Realm of Scotland held of the Realm of England by Homage, or any other way; That his Father King Robert had conquered Berwick by War against Edward II. and he would keep it; and that his Father never would do Homage to the Ancestors of Edward King of England: And desired the Ambassadors to pray their Master, That since he had Married his Sister, he would permit him the same Liberty: the Kings of Scotland had at all times enjoyed.

In the mean time, King David's Friends held Berwick, so as King Edward could not obtain it without Force, notwithstanding the Grant of Edward Baliol, or his Demand by Right; and therefore sent an Army under Command of the [8] Lord William Montacute, to besiege it, and within a Month followed with another Army to assist in the Siege. On Monday, on the Eve of St. Margaret, or 19th of July, the Scots came with a vast Army to relieve the

the Town. King Edward marched to meet them, and led up his Army himself, and in Huntene-More near Berwick, fought with, and routed them, killing, says the Historian, Forty thousand. The rest fled, when the Besieged yielded the Town and Castle.

The next Year [9] King Edward marched through Scotland with a great Army, ravaging, burning, and spoiling the Country, all flying before him, and none daring to oppose him. At length returning to St. Johnston, many Earl, Barons, Knights, and other Nobles of Scotland, having his safe Conduct, came to him there, and concluded a Peace with him, as followeth:

These [1] are the Points and Things accorded between the Council of the Kings of England and Scotland of one Part, and Monsieur Alexander de Moubray, Monsieur Geoffry de Moubray, Monsieur Godfry de Ros, Sir William Bulloke, and Eustace de Loreigne, having Full Power from Monsieur David de Strabolgi Earl Dulcelles, and Robert Steward of Scotland, to Treat, Accord, and Agree all Points between the foresaid Kings, and the said Earl and Steward on the other Part.

1. 'First, 'Tis Accorded and Agreed, That the Earl of Ascelle, and the Great Men, and all others of the Community of Scotland, which came into the Conditions, shall have Life and Member, Lands, Tenements, Fees, and Offices in Scotland which they ought to have of Heritage, or other Right, except those that shall be excepted by comune Assent.

2. 'Also, 'Tis Agreed they shall have Pardon of Imprisonment, and for all Trespases by them done in the Realms of England and Scotland, from the Beginning of the World, to the Day of the Date thereof.

3. 'Also, That the Earl of Ascelles and Monsieur Alexander de Moubray, shall have the Lands, Tenements, Possessions, Offices, and Fees they had in England, at their Departure after the Homage at Newcastle upon Tyne.

4. 'Also, 'Tis Agreed, that the Franchises of Holy Church in Scotland shall be maintained according to the ancient Usages of Scotland.

5. 'Also, That the Laws of Scotland in Burghs, Towns, Sherifdoms, within the Lands of the King of Scotland, shall be used according to the ancient Usages and Customs of Scotland, as they were used in the time of King Alexander.

6. 'Also, That the Offices in Scotland may be always administered by People of the same Nation, and that the King of Scotland of his Royalty may make such Officers as he please, and of what Nation soever.

7. 'Also, 'Tis Agreed, That all those that shall be in these Conditions, or this Agreement of the Earl Dascelles, that have Lands

Bears the Scots Army, and takes it.

[9] Ib p 8:6. b. c. 22. He waits and burns Scotland. The Scots make a Peace with him.

[1] Ib. c. 23. The Articles of the Peace.

Lands within the Lands of the King of England, in Scotland, may have again their Lands, Tenements, Possessions, Offices, and Fees, as they had at their Departure, after the said Homage made at *Newcastle upon Tyne*, except those that shall be excepted by common Assent.

8. 'Also, If they should be empleaded concerning their Lands and Tenements aforesaid, they shall have their Defences and Recoveries in Court where they ought to have them.

The rest are of things that concerned particular Persons, and not much material to be known now. This Accord or Articles of Peace were writ in the Town of *St. John in Scotland*, the 18th Day of *August*, in the Year of Grace 1335. and 9th of *Edward III*.

A.D. 1335. 9
Edw. III.

D. Bruce did
Homage and
swore Fealty
to K. Edw.,

* Append. n.
85.
And by Advice and Consent of the 3 Estates in Parliament, acknowledge him to be Superior Lord of Scotland.

[2] Murray,
f. 377.

[3] Ibid. f. 36.
R. de Artois came into England, and advised K. Ed. to make his Claim to France.

[4] *Froiss.* vol. 1.
c. 28.

[5] Ibid.
He consults his Friends.

On the first of *November* next following, *King David*, in consideration that his Predecessors and Progenitors, *Kings of Scotland*, in ancient times held, and of Right ought to hold the Kingdom of *Scotland* of the *Kings of England* by *Liege Homage* and *Fealty*, and that very many of them had made *Personal Homage*, and done *Fealty* to them, as appeared by ancient Records and Pleas of the Crown, as well in *Parlements*, as in the *Iters* or *Circuits* of the *Chamberlains* and *Justices* of his Predecessors and Progenitors, * by his Letters Patents made with the Advice and Consent of the Three Estates of the Kingdom in *Parliament* at *Edinburgh*, did acknowledge to hold the Kingdom of *Scotland* of *Edward III. King of England*, by *Liege Homage* and *Fealty*, as of the Superior Lord of the Kingdom of *Scotland*, notwithstanding all and all manner of Release, Remissions, Quiet Claims, and other Letters whatsoever made by any King or Kings of England to the contrary. This Instrument was Dated in full *Parlement*, on the first of *November* aforesaid, in the 5th Year of his Reign, and yet remains entire under the Great Seal of *Scotland*.

After this Treaty concluded with the Scots, *King Edward* was at leisure to look after his Affairs in *France*; and a meer Accident contributed much to his Claim of that Crown: [2] *Robert de Artois* Earl of *Beaumont*, who had been the greatest Friend to *Philip of Valois* in setting the Crown upon his Head, [3] made Pretensions to the Earldom of *Artois*, after the Death of *Mahant*, and brought several Grants under the Great Seal of *France* to confirm them; which being strictly examined, were found Counterfeit, and Judgment given against him by the King. Much moved at the Loss of his Pretensions and Honour, reproached the King, and provoked him to the utmost Extremity; so that though he had Married the King's Sister, he was Banished, and his Estate confiscated, who then [4] comes into *England*, and advised *King Edward* to make his Claim to the Crown of *France*. This being communicated to his Council, they [5] advise him to consult his Father-in-Law *William* Earl of *Haynault*, and his Brother *John* of *Haynault*, who had done him great Service in Conducting his Mother and self into *England*, before he attempted any thing in this

this Affair. [6] Accordingly he sent *Henry Burghersb* Bishop of *Lincoln*, with two Bannerets and two Doctors, to acquaint them with his Intentions; [7] who not only approved the Design, but advised the King to make further Alliances with some of the Neighbouring Princes.

In pursuance of this Advice [8] by special Commission, Dated the 16th of *December*, he empowered *William* Earl of *Haynault*, therein stiled (*Gulielmus Comes Hanonia, Hollandie, & Zelandia, ac Dominus Frisie*) to Treat and Agree with such Noblemen, Persons of Note, and others, as he should think fit, about Alliances and Retainers.

The like Commissions, and with the like Power of the same Date, were sent to [9] *William* Earl of *Juliers*, the King's Brother-in-Law (being Husband to *Joan*, Sister to Queen *Philippa*) to Sir *John* de *Montgomery* Knight, and to Mr. *John* *Waweyn*, Canon of *Darlington*.

On the 19th of [1] *April* following, a like Commission was issued to *Henry* Bishop of *Lincoln*, *William* Earl of *Salisbury*, and *William* Earl of *Huntington*, who were sent into *Flanders*; and before the Month of *May* was ended, [2] they contracted with several Noblemen and others in *Haynault*, *Gulderland*, and *Juliers*, to assist the King against *France*, together with what Number of Men every of them were to find to serve the King, and the Wages and Stipends (or as now called Pay) they were to receive for so doing.

In a very short time after [3] *Reginald* the Second Earl of *Guel-dres* and *Zutphen* (who Married *Eleonora* the King's Sister) and *William* Marquess of *Gulick*, came into the Alliance; as also [4] *Rupert* Count Palatine of the Rhine, Duke of *Bevaria*.

Lewis the Emperor [5] entered into a Confederacy with *King Edward*, by which they obliged themselves and Heirs, to Assist each other with all their Power to recover their Inheritances and Possessions, with-held from them by *Philip* of *Valois*.

About the same time [6] *John* Duke of *Lorraine*, *Brabant*, and *Lembourgh*, was retained for *King Edward*, and many petty Earls and Lords.

In the same Year, the 11th of *Edward III.* several of the same Confederacies are entered upon the [7] *Scots* Roll, where in some of them the Wages was expressed, which was allowed by the King to his Retainers, for every Man at Arms they brought into his Service by the Month, viz. 15 *Florens* of *Florence*, which was 45 s. *Sterlin*, better than *Eighteen* pence a Day, great Wages at that time.

The Allies and Confederacies on the French side were the [8] Bishop of *Liege*, *John* King of *Bohemia* and Earl of *Luxemburgh*, *Henry*

[6] Ibid.
[7] Ibid.
They approve the Design, & advise him to make Alliances.

[8] Part. 10.
Ed III. Part 2 M. 6.
He Commis-sions Will. Earl of Haynault to treat about Alliances and Retainers.

[9] Ibid.
The like Commissions he gave to others.

[1] 11 Ed III. p. 1. M. 11.
They contract with several Noblemen & others in Haynault, Gulderland, and Juliers.

[2] Rot. Al-mann. 11 Ed III. M. 9. 10. 11. A. D. 1337.
What Men they were to find, and what their Wages and Stipends.

[3] Ibid.
4 German Princes enter into Alliance with K. Edw.
[4] Ibid.
[5] Ibid.
Lewis the Emperor joins with him.

John Duke of *Lorraine*, &c.
[6] Ibid. M. 8.
And many petty Earls & Lords retained to serve him.

[7] M. 1. & 6. & 11.
The Wages of Retainers better than 18 d. a day. A Man at Arms better than 18 d. 2 day.

[8] Du Chesne, f. 646. C.
The King of France his Confederates.

Henry Count Palatine of the Rhine, Aubert Bishop of Metz, Otto Duke of Austria, Theodore Marquess of Montferrat, Ame Earl of Geneva, Gefrey Earl of Linanges, Waleran Earl of Deux-Ponts, Henry Earl of Vandemont, John Earl of Sarbruck, Imbert Bastard of Savoy; and many other Lords and Captains of Almain, Spain, Franch-County, Dauphine, Savoy, and other Countreies, the Scots, and Duke of Lorrain.

[9] Rot. Almain.
ii Ed. III. n. 13.

A. D. 1323.
Commissioners sent by K. Edw. to K. Ph. to treat about the Right of the Crown of France, and to which of them it belonged.

[1] Ibid.
They were also by another Commission empowered to treat about Aquitan, &c. and also a happy Peace.
[2] Appen. n. 85 B.
A Commission to the Duke of Lorrain and Brabant to be Vicary of France.

[3] Ibid.
The same Commission to others.

[4] Ibid.
He sent his Writ to all the great Persons of France and others to obey his Vicar-roys.

The same Commands were to obey others.

The Pope mediates a Peace between the two Kings.

Having made these Alliances against France, King Edward, before any Acts of Hostility, [9] constituted the Bishop of Lincoln, the Earls of Salisbury and Suffolk, and John Darcy, his Agents, by Commission Dated October 7. to Treat (cum Magnifico Domino Principe Domino Philippo Rege Francie Illustri) with the Magnificent Prince Philip the Illustrious King of France, or his Commissioners, concerning the Right of that Crown, and to which of them it belonged. And by another [1] Commission, the same Persons were empowered to Treat upon all Controversies and Demands whatsoever relating to the Dukedom of Aquitan, or other Parts beyond Sea, and also of a happy and perpetual Peace.

Yet the same Day considering the famous Kingdom of France was lawfully devolved to him by Right of Succession, and that he had claimed that Kingdom as his Inheritance, he [2] made John Duke of Brabant and Lorrain his Lieutenant, Captain, and Vicar-General there; granting and committing to him meer Empire, the Power of the Sword, and all Jurisdiction high and low, the Conscience and Decision of all Questions or Cases, as well Criminal as Civil, with Power to appoint Judges and Ministers as he pleased, for the good Government of the Kingdom, according to the Laws thereof.

The same Commissions were [3] granted and made to William Marquiss of Juliers, William Earl of Henault, and William Earl of Northampton; to each of them severally, the Words King of England and France, and King of France and England, being transposed; that is, sometimes England was put before France in these Commissions, and sometimes France before England.

These Commissions so made, he directed his [4] Writs of the same Date, to the Arch-Bishops, Bishops, Dukes, Marquisses, Earls, Barons, and all other Persons in the Kingdom of France whatsoever, commanding them willingly and freely to receive the said Duke, and obey him in all things as if he were present himself, letting them know, That to the Obedient he would be very kind, and to the Stubborn very severe.

The same Commands were directed to them in the Names of Marquiss of Juliers, the Earls of Henault and Northampton, particularly and severally, with the same transposition of Words, King of England and France. What were the Effects of these Commissions of Treaty and Lieutenantancy, I find not.

The Pope taking notice of these things, to prevent the War between the Two Nations, sent to both Kings Peter Priest-Cardinal of St. Praxed, and Bertrand Deacon-Cardinal of St. Mary in Aquino, if

if it might be, to take up, and end, all Controversies between them. [5] Upon their Application to King Edward, a Truce, in hopes of a Peace to follow, was obtained, until the morrow after Candlemas, in the 12th of his Reign: It was thence continued [6] to the first of March, and from that time to [7] Midsummer following, if the King of France would agree to it. But he not complying with the Terms of the last Continuation of the Truce, King Edward was advised to declare it null; which was done on the [8] 6th of May; and further, to pass beyond Sea to confer with his Allies, in prosecution of his Design against France. He took the Advice, and went to Antwerp: But before he went, the Cardinals prevailed with him to direct a [9] Commission, Dated June 21. to John Arch-Bishop of Canterbury, the Bishop of Durham, Robert de Ufford Earl of Suffolk, Sir Geofrey le Scrop Kt. and Mr. John Ufford Arch-Deacon of Ely, with full Power to treat and conclude all things in variance between them, in order to a full and final Peace. And by another [1] Commission of the same Date, John Duke of Brabant, the Earl of Hanaw and Guelldres, the Marquiss of Juliers, and Sir William Dunork Lord of Onstrebout, were added to them. The Styles of the Commissions were different; in one 'tis, *Philippus de Valois Consanguineus noster Francie* (Philip of Valois our Kinsman of France) without other addition. In the other 'tis, *Excellentissimus Princeps, Dominus Philippus Rex Francie, Illustris Consanguineus noster Charissimus*; Most Excellent Prince, the Lord Philip King of France, our Illustrious most dear Cousin.

At Antwerp there was a Congress of the Confederates with King Edward, where on the 22d of July, he revoked [2] the Power he had given the Commissioners above-said, to Treat with Philip de Valois as King of France, From thence the [3] Marquiss of Juliers was sent to the Emperor, who obtained a Promise from him, To make King Edward Vicar-General of the Empire, [4] which was done accordingly; and the Emperor commanded all People and Subjects of the Empire to obey the King of England his Vicar, as himself, and do him Homage.

In the 13th of his Reign, at the Request of the Cardinals, [5] John Arch-Bishop of Canterbury, Richard Bishop of Durham, Henry Bishop of Lincoln, the Earls of Derby, Salisbury, and Suffolk, with others, had, on the 1st of July, Authority to Treat with Philip de Valois, or his Deputies, upon the Dignities, Honours, Rights, and Lands, belonging to King Edward, and all other Differences whatever. The French Commissioners were the Arch-Bishop of Rouen, the Bishops of Langres and Beauvais; the Place at Arras; but without effect.

Having made this Progress toward a War with France for the obtaining that Kingdom, [6] he wrote to the Pope, setting forth his Title to it, That the Crown belonged to him by lawful Right of Succession, as being Grandchild to Philip the Fair by his Mother, Queen Isabel; and tho, as he grants, she could not Inherit by the Constitution of France, yet when all the Sons of Philip were dead without Issue Male, (Charles the Fair being the last) he claimed, it as the nearest Male to his Grandfather, and having the Right of Succession before Philip of Valois, being Son to Charles Earl of Va-

[5] Rot. Fran. 11 Ed. III. M. 2. Dof.
[6 & 7] Rot. Almain. 12 Ed. III. M. 36.

[8] Ibid. M. 16

[9] Rot. Almain. 12 Ed. III. Part. 1. M. 5. A. D. 1338.

[1] Ibid.

At a Congress of the Confederates.

[2] Pat. apud. Antwerp. 12 Ed. III. M. 3.

The Commissions to treat were revoked.

[3] Proff. lib. 1. c. 32.

K. Edw. made Vicar-General of the Empire.

[4] Ibid. c. 34.

[5] Pat. Conf. hamin. Angl. & Valois. 13 Ed. III. M. 17.

Another Treaty appointed, without effect.

[6] Wal. Eng. 16. n. 50.

See there the whole Letter, and in Rob. A. of Jersey, p. 83.

K. Edw. writes to the Pope, and sets forth his Title to the Crown of France by Right of succession.

A. D. 1339.

[7] Walsf. 140. n. 50.
The Pope's Answer to K. Edward's Letter.

lois his Grandfather's Brother; and affirmed, That his Mother's Disability to take the Crown, could not, nor ought not to barr him of his Right. This Letter bears Date at Antwerp, July 16. 1339. in 13th Year of his Reign.

The Pope in [7] answer to this Letter, reprehends him for joining with Lewis of Bavaria the Emperor, and receiving from him the Office of Vicar-General of the Empire, seeing by his Predecessor Pope John XXII. he had been Excommunicated, and deprived of all Dignity and Honour; who also had exercised the Power of the Apostolic Sword against all his Adherents who shewed him any Favour, and gave him any Help or Advice, or called or acknowledged him Roman King or Emperor, declaring them Favourers of Hereticks. Then persuading him to Peace, and pretending great Affection to him, advised him to hearken to the Cardinals, that loved him sincerely, and wished him Prosperity; and in making Peace, would propound nothing but what was pleasing to God, and acceptable to the People.

This notwithstanding, King Edward, after he had been at Antwerp above a Year, on the 19th of September, 1339. saith Avesbury (in October, says Walsingham) [8] entred France with a great Army, and burnt, wasted, and destroyed Cambresie, or the Territory of Cambrai, and the Country of Vermundois; and such as resisted him were put to the Sword. [9] The King of France marched towards him with a vast Army; but when he came to Fighting, he retreated for Fear.

The Pope hearing of this, [1] attributes the cause of not Fighting to Providence, and an Act of Divine Clemency for the sparing of Christian Blood; and after many Remarks upon it and the War, beseeched the King, for the Lord's sake, and by the Mercy of God, to think of Peace, and in the mean time to consent to a Truce in order to a Peace; and if the Cardinals, by what they should propound, could not effect it, he offered his own amicable Mediation for a happy End and Composition of all Differences.

The King's Answers to the [2] Pope, were his most humble Thanks for offering his Mediation, and the Care and Affection he had for his Sons, and that he should pursue his wholesome Advice; but that Philip unjustly usurped the Crown of France, lawfully devolved upon him after the Death of his Uncle Charles the last King thereof; That he had seized on Aquitan, and excited the Scots to Rebel against him; and therefore he intended not to neglect his Hereditary Rights, but should endeavour to recover them by the Help of God; and although that Kingdom had been demanded for him before the Cardinals, who had earnestly and laudably laboured in the Business of Peace, yet he could not obtain a reasonable Answer, nor know what he would do or offer; and that after many Treaties he would not hearken to Reason.

On the [3] 25th of August, not long before King Edward's Inroad into France, the Duke of Cornwall, Guardian of England, in his Name issued Writs for a Parlement to meet 15 Days after Michael-

He entred France with an Army.
[1] lbm. f. 143. n. 30. 40. 50. Avesbury p. 86. b. Burns, wastes, and destroys the Country.
[9] lbm. Puts all that resisted him to the Sword.
[1] Walsf. 144. n. 10. 20. The Pope offers his Mediation for a Peace.

[3] lbm. f. 145. 10. 20. &c.
K. Edward's Answer to the Pope's offer of a Mediation.

[3] Claus. 13 Ed. III. Part. 2. M. 28. Dors. A Parlement summoned.

Michaelmas; [4] To which Parlement came the Arch-Bishop of Canterbury, the Bishop of Durham, and Monsieur William de la Pole, from the King then in France, to shew the Lords and Commons what he had done beyond Sea, and his Condition there, and the Mischiefs that had befallen him, and those with him, by reason he was not supplied from England. At the same time came Letters to the Earl of Huntington, and to the Prussia Merchants, That the King was in France, near St. Quintins, with an Army of 15000 Men, and more, so as it was hoped, with the Aid of God, he would be honoured thro the whole World, and his Liege People safe in all Points, and preserved for ever; Then also he shewed to the Great Men and Commons, how that he and others that were with the King, for the Charge they had been at, to have his Allies and others to march with him into France, were obliged with him for 300000 l. Sterling or more, and how that the King and his Friends could not honourably depart from thence, without giving his Creditors Satisfaction, and likewise, that for this Cause, and for the Maintenance of him and his Quarrel, which was undertaken by the common assent of them all, and for his Business on this side the Water, he ought to be supplied with a very great Sum.

Whereupon in this great Necessity [5] it was thought convenient to Aid him with a very great Sum, or he would be dishonoured, and he and his People destroyed for ever; and it was agreed by the Great Men (les Grantz ont Grante) to give him every Tenth Sheaf, Fleece, and Lamb, of their Demeasnes, except of their Bond Tenants.

The Commons [6] declare themselves very forward and willing to assist the King, but they pray the Duke of Cornwall, Guardian of England, and the Lords, That he would summon a Parlement to meet in convenient time; That the mean while they might go into the Country, to endeavour to have an Aid granted answerable to the King's Necessity; and they further pray, That Two of the best valued Knights might be chosen in every County for that Parliament.

Accordingly the Guardian issued [7] Writs on the 16th of November for another Parlement to meet Eight days after St. Hilary, or 20th of January, in which the Commons gave the King 30000 Sacks of [8] Wooll upon certain Conditions comprised in Indentures made hereupon; The Clergie gave nothing, because in the Eleventh year of his Reign they gave a [9] Triennial Tenth toward the War coming then on with the King of France, and to pay Germans, Brabanters, and others Confederated with him against that King, [1] the three years being not then expired.

The King and Queen [2] kept their Christmases at Antwerp, and afterwards went to Gant in Flanders, from whence he wrote to all the Prelates, and Persons Ecclesiastic, to the Peers, Dukes, Earls, Barons, Nobles, and Plebeians of the Kingdom of France, setting forth his Title as aforesaid, and telling them, That Philip of Valois intruded himself into the Kingdom by force in his Minority, and possessed it against God and Justice; Therefore left he should seem

[4] Rot. Parl. 3 Ed. III. Part. 1. n. 4. The King sent to them an Account of his Affairs in France.

And requires a very great Sum of Money.

[5] lb. n. 5. The Great Men give him every Tenth Sheaf, Fleece, and Lamb. &c.
[6] lb. n. 8. The Commons desire another Parliament, Give their Reason for it. And pray the Two best valued Knights may be chosen in every County.

[7] Cl. 13 Ed. III. Part. 2. M. 1. Dors. The Commons give 30000 Sacks of Wooll.

[8] Rot. Parl. 13 Ed. III. Part. 2. n. 5, 6, 7. The Clergie give nothing because, &c.

[9] Adam, Marymouth, A. D. 1337. f. 147. n. 20. [2] lb. n. 10. King Edward writes to the Peers and Great Men of France of all sorts, and Plebeians, Setting forth his Title to the Kingdom.

[1] lb. n. 10. King Edward writes to the Peers and Great Men of France of all sorts, and Plebeians, Setting forth his Title to the Kingdom.

Declaring
what he
would do if
possessed of it.

[3] *Rob. Avers.*
p. 89. a. cap.
28.

[4] *Clauſ.*
13 Ed. III.
parl. i. M. 33.
Durf.
Summons for
a Parliament.
[5] *Rot. Parl.*
14 E. III.
parl. i. n. 5,
6, 7.

A great Ayd
desired.
The King in
Debt, and
was to remain
as a Prisoner
at Bruffels un-
til it was paid.
The Lords,
and Knights
of Shires gave
the 9th Sheaf,
Fleece, and
Lamb.

The Citizens
and Burgesſes
a 9th of all
their Goods
according to
the true value.

[6] *Ib. n. 9, 10.*
The Com-
mons make it
their Request
not to be sub-
ject to the
King as King
of France.

[7] *Append.*
n. 86.
[8] *Clauſ.*
14 Ed. III.
parl. i. M. 33.
Durf.
A Parliament
called.

to neglect his own Right, and the Gift of Heavenly Grace, or submit to the Divine Pleasure, he claimed the Kingdom and Government, in hope of Celestial help, (*Ne videamur ius nostrum & Donum Celestis Gratia negligere, &c.*) declaring he would be very Gracious to the Good and Obedient, and do Justice to every one according to the Laudible Rites and Customs of the Kingdom; To Reform all things were amiss, and add according to the Condition of the Times what was best and most expedient for them, by assent of the Peers, Prelates, and Great Men, and his faithful Subjects. The Letter as written in Latin begins thus; [3] *Edwardus Dei Gratia Rex Francie & Anglie ac Dominus Hibernie Universis Ecclesiarum Prelatis, & Personis aliis Ecclesiasticis, Paribus, Ducibus, Comitibus, Baronibus, & Nobilibus, ac Plebeis in Regno Francie constitutis, veram noticiam, subscriptorum universorum, &c.* Edward by the Grace of God King of France and England, Lord of Ireland, to all Prelates of Churches, &c. as above, *Dat. apud Gandavum 8 die Februarii Anno Regni nostri Francie primo, Anglie vero Decimo quarto*, Dated at Gant the 8th of February, in the First year of our Reign of France, and of England the Fourteenth.

Some short time after he came for England, and at Harwich on the 21st day of February he issued [4] his Summons for a Parliament, to meet on Wednesday next after Midlent Sunday. The cause of Summons was declared to be, for granting the King a great Aid, or [5] he would be for ever dishonoured, and his Lands as well on this side, as beyond the Sea, in great danger, if he should loose his Allies. And further, he was in his own proper Person to return to Bruffels, and stay there as a Prisoner, until the Sum he was engaged for there was all paid; and in case he had a sufficient Aid, all these Mischiefs would cease, and his Design (with the help of God) have a good issue, &c. Wherefore upon his Request, the Prelates, Earls, Barons, and Knights of Shires, having regard to the Mischiefs, &c. granted him the Ninth Sheaf, Fleece, and Lamb; and the Citizens and Burgesſes the very Ninth of all their Goods, according to the true value, for two years next coming, upon condition he would grant their Petitions presented to him and his Council.

In this Parliament [6] the Great Men and Commons made it their Request, that seeing the King had taken upon him the Title of King of France, and changed his Arms, they might not be bound to obey him as King of France, nor the Kingdom of England put in subjection to him as King of France, or to the Kingdom of France, (*le fist faire lettres patentes de Indemnité*) he thereupon caused to be made Letters Patents of Indemnity [7].

On the 30th of May next following, declaring in the Writ [8] his intentions of going beyond Sea for the Defence and Safety of his Kingdom of England, and the Recovery of his own, and the Rights of his Crown, he summoned a Parliament to meet at Westminster on the Wednesday after the Feast of the Translation of St. Thomas the Martyr, (that is, Thomas Becket) which Feast was July the 7th, to be holden before his Son Edward Duke of Cornwall and Earl of Chester, whom he had made Guardian of England.

And

And he not only publicly declared his intention in the Writs of Summons, but [9] appointed the precise day to be on the 13th of June, to pass from Ormell in Suffolk into Flanders, with about 40 Ships that lay ready there, to Treat with his Confederates about the War; Upon this Resolution the Arch-Bishop of Canterbury, then his Chancellor, informed [1] him, That Philip of Valois, his Adversary of France, foreseeing his Passage, had privately sent a great Fleet of Men of War to encounter him in the Haven of Sluce; and advised him to provide more Ships, and reinforce his Fleet, otherwise he and his Affairs might be lost in the Passage. The King, not believing him, said he would go whatever came of it. The Arch-Bishop quitted his Council, and taking Leave departed, and sent the Seal of his Office to him; yet the King thinking better on the Matter, called to him Robert de Morle his Admiral, and one Crabbe, a famous Mariner, who upon his enquiry gave him the same Information and Advice the Arch-Bishop had given, whereupon he presently sent for him, and delivered to him [2] the Seal; and also having sent to the Northern and Southern Parts, and to London, within ten days he had a sufficient Fleet, and more Armed Men and Archers then he could expect, or had use for. With this Fleet he sailed towards Flanders, and on Midsummer [3] Day the English and French Fleets engaged, when the English obtained a mighty Victory, killing Thirty thousand French, and taking and destroying Two hundred Ships.

The Parliament met at the time appointed, and the cause of Summons was declared to be, [4] to Treat and Ordain concerning the things might happen to the King; for keeping the Peace in England, upon the Marches of Scotland, and upon the Sea; and to Advise and Determine how, and in what manner, he might be best served by the Subsidy granted by common Assent the last Parliament, and to remove the Difficulties and Hindrances in Collecting it. [5] On the next day, being Thursday, it was shewn to the Great Men and Commons, (as Grantz & Communes) That since the Summons to this Parliament, God by his Grace (*Dieu par sa grace*) had given the King Victory over his Enemies, to the great Assurance, Repose, and Quiet of all his Liege Subjects; and how, that to perform his Design upon his Enemies, he was forced to be aided, or loose his Allies, (*il lui covendrait a force estre eidez ou perdre son aliez*) and the Knights, Citizens, and Burgesſes, were charged by the Duke and the Council, to advise how and in what manner the King might best, and to the most Profit of him, and the least grievance of his People, be served by the Aid which had been granted him, and to give their Answer on Saturday next following, (*& donec leur respons samedi prochain suant*) on which day (*a quel samedi*) after great Treaty and Debate had between the Great Men, and the Knights and other Commons, (*entre les Grantz & les ditz Chivaliers & autres des Communes*) it was agreed by all the Great Men and Commons, That there should be Men assigned to sell the Ninths granted to the King last Parliament, and directed the quickest and best way of selling them.

[9] *Rob. Avers.*
p. 89. a. c. 29.
A. D. 1340.
The Arch-
Bishop of Can-
terbury,
[1] *Ib.*

Then Chan-
cellor, ac-
quaints the
King with the
Danger in his
Passage to
France.
He would not
believe him
[2] *Ib. p. 89.*
[3] *Ib.*

[4] *Ib.*

[4] *Rot. Parl.*
14 E. III. parl.
i. n. 2, 3.
The cause of
calling the
Parliament.

[5] *Ib. n. 4, 5.*

To

[6] Ib. n. 6. 7.
The King wrote to that Parliament. That the Ayd given last Parliament was great.

[7] Ib. n. 8.
Yet because it could not be collected in due time, it answered not his purpose.

[8] Ib. n. 9.

[9] Ib. 9, 10.
Upon the King's Letter.

20000 Sacks of Wooll granted for a present Supply.
[1] Ib.

[2] Ib. n. 11.

To this Parliament [6] were sent by the King the Earls of Arundell and Gloucester, and Sir William Trussell, with Letters of Credence, dated at Bruges, July the 9th, in the 14th year of his Reign in England, and first of France, directed to the Dukes, Arch-Bishops, Bishops, Earls, Barons, and others assembled in Parliament, signifying to them, That tho the Subsidy granted in the last Parliament was great, yet because it could not in due time be converted into Money, it did not answer his purpose as it ought: He likewise remembered them of the Victory he obtained in the Water of Zwynes on Midsummer-day: [7] And farther acquaints them, That with the Assent of his Allies, the Great Men of England who were with him, and the Country of Flanders, he had divided his Army, and intended to go and lie down before Tournay with one part of it, being an Hundred thousand Flemings Armed, besides (as must be supposed) his English Forces, and Robert Earl of Artois with Fifty thousand, besides all his Allies, and their Power, were marching towards St. Omers, that for the governing and marching of this Army he had need of a very great Sum of Money, over and above what was sufficient to discharge his Debts, which were necessarily to be paid before his march, requesting them and every one of them dearly (*vous priens chèrement, & a chescun de vous*) to consider the great Danger might happen, if he was not supplied with Money and Goods suddenly, to give Satisfaction to the Country, and his Allies, and Soldiers which he had retained, in case they should withdraw themselves, or desert if not paid, and also if his Allies should go over to the Enemy, and join him if not paid. At the Close of his Letter he tells them, [8] That the Persons above-named came over to declare his Condition and Business, willing them to give full Faith and Credit to what they should say.

This Letter having been read, and the Messengers [9] heard; for the Reasons given in and by both, all were of Opinion, That the King in his great necessity could not be aided so speedily as he ought by the Ninth, wherefore the Great Men fought all the ways they could, (*par quoi les Grantz sercherent totes les voies quilz poient*) that the King might be speedily aided, and thought it the best, that he should have at present a certain number of Sacks of Wooll; which was propounded to the Knights of Shires for their assent, how they might be hastily provided, and Merchants spoken to, to take them at an indifferent and equal Rate, (*& sur ce parlez as Chevaliers des Counties d'avoir lowz assent comment, &c.*) The number of Sacks agreed upon was 20000, for which the Merchants were to pay the King 40 s. per Sack Custom, besides the Price of the Wooll beyond Sea, [1] (*par equitter ert ses dettes, & par les ploit de ses grosses busoignes*) to discharge his Debts, and for the Exploit of his great Affairs: And it was left to the King's Choice and his Counsels beyond Sea, whether the Flemings [2] or Almans should be paid with the Money was to be received of the Merchants.

Soon

Soon after King Edward, [3] with the assistance of the Duke of Brabant, the Earl of Haynaut, (whose Forces then passed under the name of Flemings, as in the Parliament Roll) and the Communities or Governments of Bruges, Gaunt, and Ipres, besieged Tournay; from which Siege he wrote [4] to Philip of Valois, without any Title or addition, That he had besought him by Messengers, and all other ways he knew reasonable, to restore his Rightful Heritage of France, and for that he saw he would not do him Reason, he had enter'd into the Country of Flanders, as Sovereign Lord thereof, signifying to him, That by the aid of Jesus Christ, and power of the Country, his own People and his Allies, he would put a short end to his Claim, if he would approach him and advance towards him. But for that Two so great Armies, as there was on both sides, could not long continue together without great damage to the People and Country, which thing every Christian ought to avoid, especially Princes and Governors of the People; he desired a brief period might be put to the Matter, and to avoid the Deaths of Christians, the Quarrel being between themselves, that the discussion of their Claims might be determined by and between their two Bodies. And if he would not consent to this way, then that it might be ended by Battel between them and an hundred of their best Men on either side. And if he would not take one of these, then that he would assign a certain day, within ten days after the date of this Letter, to fight Army with Army before the Town of Tournay. This was his desire, not out of Pride or Disdain, but that the will of Jesus Christ might be shown between them, for the greater repose amongst Christians. Given under his Great Seal at Clyn, in the Field, the 27th day of July, in the 14th year of his Reign of England, and first of France.

To this Letter he had the following Answer returned; * Philip 'by the Grace of God, King of France, to Edward King of 'England: We having seen your Letters brought to our Court, 'from you to Philip of Valois, in which were contained certain 'Requests made to Philip of Valois; and for that your Letters were 'not directed, or the Requests made to us, as clearly appears by 'the Tenor of them, we ought not to have given you any Answer, nevertheless, because we understand by the said Letters, 'and otherwise, that you are entered into our Kingdom of France, 'doing great damage to us, our Realm and our People, without 'Reason, not regarding what a Liegeman ought to observe toward 'his Lord; for you have entered into our Homage Leige, and recognized us King of France according to Reason, and promised 'such Obedience as Men ought to promise to their Liege Lord, as 'appears more clearly by your Letters Patents sealed with your Great Seal, which we have by us. Our intention therefore is, when it 'shall seem good unto us, to drive you out of our Realm; and 'that we may be able to do this, we have firm hope in Jesus 'Christ, from whom all our Puissance, &c. Given in the Fields 'near the Priory of St. Andrew, under our Privy Seal, in the 'absence of our Great Seal, the 30th of July, in the year of 'Grace 1340.

[3] Rob. Avel. p. 90. b. c. 30, 31.

[4] Append. n. 87. a. He besieged Tournay, and wrote to the King of France.

And sent a Challenge to him, to determine the Quarrel and their Claims, by Duel between their Two Bodies, &c.

* Ib. 87. b. The King of France his Answer to King Edward's Letter and Challenge.

Here-

[5] *Ib. Avesb. u. supra. p. 91. c. 33.*
Philip of Valois brought a great Army into the Field, but dare not fight.

The English burn and destroy 300 Cities, Towns, and Villages. And kill a vast number of French of all sorts.

Both Armies in great want of Forage and Victuals.

[6] *Ib. p. 91. b. c. 34.*
The King of England in great want of Money. Commissioners on both sides to Treat of a Truce.

[7] *Ib.*

The Articles of the Truce.

Hereupon Philip of Valois [5] brought a very great Army into the Field, as was thought to raise the Siege, but he kept at such a distance off the English Army, being afraid (as says the Historian) to engage them, that he could not be provoked to fight; tho the Earl of Haynault, the Lord Walter Manny, and Reginald de Cobham, the King's Marshal, and other Officers of the Army, were sent with Parties from the Siege, who wasted the Country, destroy'd and burnt three hundred Cities, Towns, and Villages, within six Leagues round Tournay, and killed of the French Fourteen Barons, Sixscore Knights, and more then Three hundred Men at Arms.

At last both Armies being very numerous, and in great distresses for want of Forage and Victuals, and the King of England especially in very great want of Money, the Two Kings consented to a Treaty of Truce until Midsummer next following. [6] The Commissioners for the King of England were, the Duke of Brabant, the Duke of Guelderland, the Marquis of Juliers, and Monsieur John de Haynault Lord of Beaumont. Those for the King of France were, John King of Bohemia and Earl of Luxemburg, Adolph Bishop of Liege, Raoul Duke of Lorrain, Ame Earl of Savoye, and John Earl of Arminiac, who concluded a Truce between the Two Kings, their Aidants and Allies, [7] upon the ensuing Articles.

1. That no prejudice, or injury, be done by either Party to the other, during the Truce and Respite.

2. It was agreed, That the Two Kings, their Aidants and Allies, whosoever they were, should remain in the same possession and seizure, they were in at that time, of all their Goods, Lands, and Possessions they held, or had acquir'd any manner of way during the Truce.

3. It was agreed, That during the Truce, the Kings, their Assistants and Allies, whoever they were, might safely go out of one Country into another, and the Merchants with all manner of Merchandise, and all other People with their Goods might go, and come as well by Land as Sea and Water, as freely as they used to do at other times, paying their Passage Money, Tolls and Customs as anciently due. The Barons and others of Gascoigny, in the Dutchy of Guien, to be comprised in this Article.

4. It was agreed, That neither of the Kings should procure, or cause to be procured by themselves or others, any grief or prejudice to be done to the other, his Friends, or Allies by the Church of Rome, or others of Holy Church whatever they were; nor to their Lands, or Subjects, by reason of the War or any other cause, nor for the service the Allies, and Assistants of both Kings had done, or should do for either of them. And if their most Holy Father, the Pope, or others, would do so, both Kings might oppose them to their Powers, without doing ill, during the Truce.

5. All

All Prisoners of War on both sides to be released during the Truce, upon their Paroles to return again to Prison when it was ended.

6. That there should be a Truce between the English and Scots for the same time, and certain Persons appointed upon the Borders of each Kingdom to see it observed, upon such Conditions as had been formerly: Which if the Scots refused, the King of France was not to assist them with Force, or any other ways to relieve and encourage them. And it was agreed, That this Truce should be notified, or proclaimed in England and Scotland, 26 Days after the Date thereof; [8] which was confirmed and sealed with the Seals of the Commissioners on both sides, in the Church of Espeperlyn, on Monday the 25th of September, in the Year of Grace 1340.

In the time of this Truce, several Commissions were issued for the ending all Controversies between the Two Kings, by a full Peace, or long Truce, as they are to be found in the Alman or Close Roll in the Tower, in the 15th of Edward III. But they had no other effect than to continue the Truce unto the Decollation of St. John Baptist, or 29th of August; from thence to the Exaltation of the Holy Cross, or 14th of September; and from that time to Midsummer the next Year.

While the King lay before Tournay, the Scots [9] that had not submitted to King Edward Baliol, came into England, and plundered and ravaged the Country as far as Durham; but being included in the Truce, as above, all Hostility ceased during that Truce.

After the Siege of Tournay, the King went to Gant, and staid there some time; and returning into England, on the Feast [1] of St. Andrew, about midnight he arrived at the Tower, and next morning he sent for the Arch-Bishop of Canterbury to Lambeth, but found him [2] not there. He also sent for the Bishop of Chichester his Chancellor, the Bishop of Lichfield and Coventry Lord Treasurer, and several others his Great Officers, Clerks of Chancery, and Justices, and imprisoned them in the Tower, except the Bishops, whom, says [3] Robert of Avesbury, for fear of the Clementine Constitution, That Bishops ought not to be imprisoned, he permitted to have their Liberty. On the 3d of December, the Arch-Bishop went to Canterbury, and secured himself in his Church, to escape future Dangers. Most of the Persons [4] sent for, or imprisoned by the King, were of the King's Council in England; and those who were appointed and directed in Parliament, to take care of the Payment of the King's Debts to the Town of Brussels, and other Towns in Brabant and Flanders, and treat with the Merchants, both Foreign and English, about paying the Money, amongst whom was the Arch-Bishop.

The Sheriffs [5] were commanded to send from all Cities and Burghs, in their several Counties, Merchants to be before the

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King's

[8] *Ibm. p. 93. 4.*

Several Commissions during this Truce, to make a firm Peace, without effect.

[9] *Knighen, col. 1580.*
The Scots plundered & wasted the Borders.

[1] *Class. 14. Ed III. Part 2. M. 12. Dof.*
[2] *H. B. Sup. vol. 1. f. 20.*
The A. Bp. of Canterbury and others of the King's Council imprisoned [3] p. 93. a. c. 35.

[4] *2^{de} Parl. 14. Ed III. Part 1. n. 13, 14, 15.*

[5] *Ib. Part 2. n. 17 & 25.*

About selling
the Wooll,
granted.

[6] n. 20, &c.
ad 28;

[7] n. 29.

[8] H. B. Sac.
vol. 1. f. 21. 25.
The A. Bp. of
Canterbury's
Advice and
Reproof to
the King.
[9] Walf. f. 150.
n. 10, 20, &c.

King's Council at London, or Westminster, on Monday next after the Assumption of the Virgin Mary, or 15th of August, to treat with them about buying the Ninth of Wooll in all Counties; where the Arch-Bishop of Canterbury, some other Bishops, Earls, and Barons of the King's Council there named, as being nearest at hand, treated with them, and contracted [6] for great numbers of Sacks of Wooll; the Money to be paid at Bruges within three Weeks after, or upon the Feast of the Nativity of the Virgin Mary, or 8th of September; or upon the Feast of St. Michael. The Merchants of Bard and Prussia bought much of this Wooll, and engaged to pay the Money to the People of Lowain and Malins, and several particular Persons there named, Almans and others, that had been retained by King Edward; and also sent for divers Persons to account before them, and ordered them to return the Money to the King beyond Sea.

On the 30th of July [7] the Arch-Bishop of Canterbury, the Lords Chancellor and Treasurer, the Earl of Arundel, Thomas Wake of Lydell, and others of his Council in England, wrote to the King to give him an account of his Subsidy; and to let him know, That the Grant of 20000 Sacks of Wooll to raise Money speedily, was not made (in the Parlement he Summoned, before he went beyond Sea, to meet on Wednesday next after the Feast of St. Thomas, or 7th of July) until the Vigil or Eve of St. James, or 24th of the same Month: And therefore he could not wonder, nor his Allies, or good People of Flanders, That neither Wooll nor Money was then come to him; for certainly as much as could be levied of his Subsidy should come to him daily, as soon as the Pains or Knowledge of Man could cause it to be sent or paid.

The Arch-Bishop having secured himself at Canterbury, [8] the King sent Nicholas de Cantelpe with Letters of Credence, That he would come to him to London, where he might personally speak with him; but he came not, pretending some about the King had threatened to kill him. Yet though he came not, he wrote to the King, and admonished him to take good Advice, and make use of good and wise Counsellors, and to remember that by evil Counsel his Father had, contrary to the Laws of the Land and Magna Charta, imprisoned some great Men and others, adjudged them to death, seized their Goods, or put them to grievous Ransom: And what happened to him for this cause! He also put him in mind, That by the Circumspection and Discretion of the Prelates, the Great and Wise Men of the Nation, his own Affairs had prospered, so as he possessed the Hearts of the People; and had met more Assistance from the Clergy and Laity than any of his Progenitors. But at present, by the evil Counsel of some English and others, who loved their own Profit more than his Honour, or the Safety of the People, he had imprisoned Clerics and others, against the Laws of the Land, his Coronation-Oath, and against the Great Charter; the Infringers whereof were, by the Prelates of England and the Pope's Bull, which he had by him, excommunicated. Which things he had done to the great Danger of his Soul, and Detriment of his State and Honour. He tells him, he had pronounced Excommunicate all such about him that were Favourers of Treason, Flatterers of, and imposed upon

upon him; and as his spiritual Father beseecheth him to hold them as such, some of which by their Sloth, and Wicked Service and Advice, lost Tournay. And requested him to call together the Prelates, Great Men, and Peers of the Land, to see and enquire in whose hands the Wooll, Moneys, and other things then remained, which since the beginning of the War had been granted to him for maintaining thereof; and by what means, and whose default he lost Tournay; and punish the Offenders in all things according to Law. And as to what concerned him, saving always the Estate of Holy Church, and his own Order, he was ready in all Points to submit to the Judgment of his Peers. This Letter was Dated at Canterbury the First of January.

In the same Month [1] he wrote to Robert Boufer (a Lay-man) late made Chancellor of England, in the place of the Bishop of Chichester, to preserve the Liberties of Holy Church, and the Laws of the Land entire: And to let him know, that the Ninth had levied and destreined for it, upon Prelates and others of the Clergy, who were not bound to pay it, as those that [2] paid the Tenth granted to the Clergy, and held nothing of the King by Barony, or were obliged to come to Parlement; and also exacted the Tenth of such as were bound to pay the Ninth, oppressing the Clergy, contra Deum & Justitiam, against God and Justice: Exhorting and requiring him in the Lord (hortamur in Domino & requirimus) not to permit the Religious and Clergy to pay otherwise than according to the Form of the Grant of the Taxes, nor give his Advice or Assent to any thing in prejudice of the Great Charter, or that might tend to the Subversion of Church-Liberties, declaring if he should make out any Writ, Commission, or Precept to that purpose, he should not omit to exercise such Power as Holy Church had permitted him.

He [3] wrote also to the King and his Council after this manner: (Domino nostro Regi Consilisque suo, ac omnibus & singulis dicti Consilii sui Personis monstramus nos, Johannes permissiones divina Cantuariensis Archiepiscopus, totius Anglia Primas, sedis Apostolice Legatus, &c.) To our Lord the King and his Council, to all and every one of them; We John by Divine Permission Arch-Bishop of Canterbury, and the Pope's Legate, do declare all those that do Arrest Clerics, put them in Prison, and detain them against their Wills, are Excommunicated by Canon. Which Sentence he published in the Church of Canterbury, and caused it to be published by all his Brother Suffragans, or Bishops of that Province. After the Denunciation of which Sentence, several Clerics (there named) were taken and imprisoned (in prejudicium Dei Ecclesie Sancte) in prejudice of God and Holy Church, against the Laws and Privileges of all Clerics, and to the danger of their Souls, who did such things, or gave Advice or Assent to the doing of them. Wherefore he beseeched the King to preserve untouched the Rights and Privileges of Holy Church, and forthwith release the Clerics, and others, that had been imprisoned against the Great Charter, the Laws of the Land, and Privileges of such as were detained. And further beseeched all of the King's Council, who had presumed to advise the King to commit such things (qui talia committendi consilium Regi dare presumerunt) not to hinder the Release of those that were kept

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[1] Ib. f. 151.
n. 32, 40, &c.
He wrote also
to the Chan-
cellor of Eng-
land to pre-
serve the Li-
berties of the
Church.
[2] Rot. Parl.
14 Ed. III. Part
2 n. 14, & 17.

[3] Walf. f. 152
n. 10, 20, &c.
The A. Bp. de-
clared in a
Letter to the
King all those
Excommuni-
cates,

Who impris-
oned Clerics,
or oppressed
the Church.

in Prison. He also declared, That the *King's Ministers or Officers*, of what Condition soever, who entred the *Granges, Houses*, and other Places of *Arch-Bishops, Bishops, Ecclesiasticks*, or other *Religious*, without the *Consent* of their *Bailiffs*, and took and carried away their Goods; and all those that commanded these things to be done, were involved in the same Sentence of Excommunication. He ~~wished~~ the *King* would vouchsafe to apply a fit Remedy, for he could not dissemble; but that against such, as his *Pastoral Office* required it of him, by his Brother *Bishops* of the *Province*, he should execute what was his and their bounden Duty. Yet it was not his *Intention*, that the *King, Queen, or their Children*, should be comprehended in this Judgment, or Sentence of Excommunication, as far as by Law or Right they might be excused [4] (*nosra tamen Intentionis non existit Dominum nostrum Regem, Dominam Reginam, aut Liberos eorumdem, dictis Sententiis involvi seu comprehendi, quatenus de jure poterunt excusari.*

[4] *Ibm.n.50.*[5] *Ib. f. 153. n. 20, 30, 40, &c.*[6] *Ibm. f. 154. n. 30.*

As he had resolved [5] he wrote to all the *Bishops* of his *Province* [6] and commanded them to declare Excommunicate all such as deprived Churches of their *Rights*, or by Malice infringed or disturbed their *Liberties or free Customs*; and those especially that violated the ancient *Liberties and free Customs* of his *Church of Canterbury*, or in any manner diminished them, or did any thing contrary to its Privileges. Also those that disturbed the Peace and Quiet of the Kingdom, or that gave Advice or Assistance to, or favoured them. Also those who by any Art or Trick whatsoever (*quacunq; arte vel ingenio*) should violate, break, diminish, or change any of the *Liberties and free Customs* contained in the Great Charter, or Charter of the *Forest*, privately or openly, by Word, Deed, or Advice, or the ancient *Liberties and free Customs* granted by them to the *City of London*, should be declared Excommunicate. And then he directs them to proceed in the same manner against all such as imprisoned Clergy, or entred into the *Houses, Granges, B&c. of Arch-Bishops; Bishops, &c.* as above.

[7] *Ibm. f. 154. n. 30, 40 &c.*
The King's Letter concerning the A.Bp. of Canterbury and his Crimes.

The King, moved with this Behaviour of the *Arch-Bishop* [7] wrote to the *Bishop of London*, and the *Prior and Chapter of Canterbury*, in harsh and severe Language, how he had been used by the *Arch-Bishop*, and charged him with many great Crimes; as, that being exalted to the *Throne* in his *Nonage*, desiring to be directed by sound Counsel, believing him in Fidelity and Discretion to exceed all Men, and using him as the Director of his Soul, and likewise the Affairs of his Kingdom, and receiving him into great Familiarity; and seeing the Kingdom of France devolved to him by Right of Succession, and was usurped by *Philip of Valois*, he with great Importunity persuaded him to make a Confederacy against *Philip* with the German Princes (*idem Archiepiscopus nobis importuna instantia persuasit cum Principibus Alemannie contra dictum Philippum fedus inire*) exposing us and our Affairs to the Charge and Hazard of War; promising and affirming, That he would cause abundantly to be supplied the necessary Expences from the Revenue of our Lands, and Subsidies; adding further, That we need only take care to have ready expert and stout Soldiers. Then he tells how he went beyond Sea, and entred into a War

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at a vast Expence, obliging himself to his Confederates in great Sums of Money upon the promised Aid; but trusting to a broken Reed, and his Assistance in Money not coming to him, he was forced to contract improfitable Debts under the greatest Usury; and so as he could not prosecute his Expedition, but must of necessity return into *England*: Where declaring to the *Arch-Bishop* his Streights and Misfortunes, he called a Parliament, which gave him the *Ninths* as above, and the *Clergy a Tenth*, which if fully collected, and in due time, had probably been sufficient for the carrying on his War, and the Payment of his Debts, to the no small Confusion of his Enemies. Then he says the *Arch-Bishop* promised again to assist him effectually toward Collecting the *Subsidy*, and administering other Necessaries: Whence trusting to his promised Assistance, he again passed over Sea, and obtained his Sea-Victory, as before related; and afterwards besieged *Tournay*, as aforesaid; when every day expecting by the *Arch-Bishop's* Management to be relieved, in so great Necessities, with what had been promised him, his Hopes failed: And though by many Letters and Messengers he had signified to him, and others of his Counsellors his Adherents, the Wants and Dangers he was in for want of Money, being put off with frivolous Excuses and fine Words, by which they palliated their Fraud and Malice, he was forced unwillingly to consent to a Truce, to his Shame, and the Hindrance of his Expedition. At length his faithful Friends, Companions, and Participants in his Adventure and Tribulation (*tandem convenerunt ad nos amici Fideles, Peregrinationis nostra Comites, & Tribulationis nostra participes*) with whom he discoursed how he might most aptly be delivered from his present Misfortunes, all agreed the Fault was the *Arch-Bishop's*, either by Sloth or Negligence, if not Malice; murmuring against him, that he had not corrected the Insolence of the *Arch-Bishop* and Officers (*Archiepiscopi & Officialium Insolentiam, &c.*) which if he should not do speedily, they threatened to quit his Service, and withdraw themselves from the Confederacy. Whence thinking of the Discipline and Correction of his Officers (*unde nos ad disciplinam & correctionem nostrorum officialium mentis aciem dirigens*) he removed some from their Offices for Male-administration, by subversion of Justice oppressing the People, and taking Bribes: Others of less Note he committed to Prison; and believing he might have a more full account of the Actions of his Officers from the *Arch-Bishop*, to whom he had committed for a long time all the Administration of all his Affairs, he sent *Nicholas Cantilupe* to command him to come speedily to *London*, that he might have Personal Discourse with him; but being always Proud, and fearful in Adversity, he pretended Danger from some about him, if he should stir out of the *Church of Canterbury*. The second time he sent to him *Ralph Stafford*, Steward of his *Houhold*, with Letters of safe Conduct, to come to, and inform him about the Business of the Kingdom: But contemning his Requests and Messengers, with an haughty Look he answered, That he would not meet, come to, or confer with him, but in full Parliament, which at that time it was not rationally expedient to convene (*quod in his diebus ex causis rationalibus non expedit convocari.*) Then recounting his great Bounty and Beneficence toward him, his extraordinary

ordinary Respect and Affection to him, and the mighty Trust and Confidence he had in him, declares how *ungrateful* he was, and how he had deceived him, *wounding his Innocence*, by railing at, and reproaching the Justice, Fidelity, and Diligence of his Officers, by Preaching publicly, and sending Letters into divers Parts, That by Royal Power and against Justice, the People had lately been oppressed, the Clergy confounded, the Kingdom over-burdened with Exactions, Taxes, and Tallages. And because he falsely endeavoured to obtain the Name of a Good Pastor, which he always wanted, yet truly he was a notorious Mercenary by common Opinion, and his own publick Confession; (*& quia nomen boni Pastoris, quo battimus semper caruit, &c.*) he applied himself to assert the Liberty of the Church; which if it had been injured or grieved, either in Persons or Things (*in rebus vel Personis*) it was only and truly to be ascribed to the Remissness, crafty Intentions, and reprobate Counsels of the Arch-Bishop (*Archiepiscopi duntaxat remissioni, & callidis adinventionibus, ac reprobis consiliis sunt veraciter ascribende*) wickedly pretending he had certain Sentences and Articles of Excommunication, made in general against the Violators of Church-Liberty and the Great Charter, to blacken the Good Opinion the People then had of the King, to defame his Ministers, traiterously to raise Sedition amongst the People, and to withdraw the Affections of the Earls, Barons, and Great Men from him. Wherefore being willing, as he was bound, to secure the Integrity of his Fame, to obviate the Malice of the Arch-Bishop, and to avoid the Snares laid for him and his, he desired to publish some other of his Actions, besides those above repeated; to wit, That by his improvident Advice in his Nomage, he had made so many prodigal prohibited Gifts and Alienations, and done so many excessive Favours, that his Treasury was exhausted, and his Crown-Rents beyond measure diminished; and that corrupted by Bribes, he had without reasonable cause remitted great Sums of Money due to him, and had given much of his Rents and Revenue, which ought to have been applied to his own use, to Persons not deserving, or converted it to his own Use; and presumed to attempt other things to the Detriment of his Estate, Damage of his Royal Dignity, and Grievance of his Subjects, abusing the Power committed to him. Commanding those to whom this Letter was directed, to publish it, and cause others to publish it, in such Places as they should think convenient. Witnesses his Self at Westminster, the 12th of February, in the 15th of his Reign.

[8] Hist. Sacr. vol. 1. f. 23. The A. Bp. published the K.'s Letters,

and makes his Defence.

[9] Itm.

On *Aff-wednesday*, being the 21st of February, the Arch-Bishop Preached in the Cathedral of Canterbury, and [8] at the end of his Sermon he told the People, there were Letters directed by the King to the Prior and Convent against him, which he desired might be read: Which was done by order of the Prior, and the Contents of them published in the English Tongue. Against which the Arch-Bishop in every Point defended his Innocence; and then admonished the People to pray for the King, Queen, and their Children; and to those that should do so devoutly, and also pray for the State of Holy Church, being penitent, and sorry for their Sins, he granted Forty Days Indulgence from Purgatory. And the next Day, being the Chair of St. Peter at Antioch, or the 22d of that Month, [9] the Abbot of St. Augustines in Canterbury, to whom

whom and his Convent the like Letters had been sent, published them to the People, expounding them in Harred to the Arch-Bishop (*in odium Archiepiscopi*) that so the People might have an ill Opinion of him.

The very same Complaints against this Arch-Bishop the King [1] sent to the Pope, tho' in somewhat smother Language in some parts of the Epistle; and requests he might be by him removed out of the Kingdom, for preserving the Peace of it, and preventing other Dangers that might be feared to ensue, if he staid there. *Dat. apud Lange 14 die Martii.*

The Arch-Bishop wrote an Answer to the King's Letter, which bears this Title, [2] (*Excusatio Archiepiscopi ad famosum Libellum*) The Excuse or Answer of the Arch-Bishop to the slanderous Libel; addressing himself by way of Preface to the King, telling him There were two things by which the World was Governed, the Holy Pontifical Authority, and the Royal Ordained Power; of which the Charge of the Priests was the greatest and highest, inasmuch as they were in the last Judgment to give an account of Kings: Wherefore he ought to know, that they depend upon the Judgment of Priests, who might not be directed by their Wills; for who could doubt but Christ's Priests were to be thought the Fathers and Masters of Kings, Princes, and all faithful People. [3] (*Reverendo Domino suo Edwardo Dei gratia, &c. Duo sunt quibus principaliter regitur iste Mundus, Sacra Pontificalis Autoritas, & Regalis Ordinata Potestas; in quibus est pondus tanto gravius & sublimis Sacerdotum, quanto & de Regibus illi in divino reddituri sunt examine rationem. Et ideo scire debet Regia celsitudo ex illorum vos dependere iudicio, non illos ad vestram posse dirigi voluntatem. Quis enim dubitat Sacerdotes Christi Regum, & Principum, omniumque fidelium Patres & Magistros censeri?*) And he proceeds to inform him, that many Bishops had [4] Excommunicated Kings and Emperors; and also to inform him what Good Kings were to do, and how to behave themselves toward Bishops, and what Reverence, Honour, and Respect was due to them. And he complains, that the Honour due to him, in regard of his Dignity, and as he was his Father, was turned into Disgrace, Devotion into Reviling, and Reverence into Contempt; (*sed pro dolor, &c. Honor nobis exhibendus conversus est in Opprobrium, Devotio in Blasphemiam, Reverentia in Contemptum*) whilst his Epistles sealed with the Royal Seal, but more truly slanderous Libels; [5] (*dum Epistolas vestras Regio sigillo Signatas, quin versus Libellos famosas*) dictated and written by his Enemies, containing many Crimes falsely imputed to him, were sent to the Bishops of his Province, Deans, Abbots, Priors, their Convents and Chapters, to be published to his, and would to God not to the injury of him too; (*in nostram, utinam non in divinam injuriam.*) By which unthought of, that he might not say detestable Fact, Royal Power presumed to Judge the Lord God in his Servants and Priests; and he seemed to condemn him his Spiritual Father, and greatest Peer of the Land, against the Order of God, Human Law, and natural Reason, not called, not convicted by Record, and unheard, to the Danger of his Soul, and as an ill Example to the manifest Prejudice of all the Peers of England. At last, making great Profession of his Affection to

The Abbot of St. Augustines published them to the Disadvantage of the A. Bp.

[1] Rot. Rm. 14 Ed. III. M. 4. The King sent to the Pope to remove him out of the Kingdom.

[2] Hist. Sacr. vol. 1. f. 27. The A. Bp.'s Answer to the King's Letter, which he calls a famous Libel.

[3] Itm.

[4] Itm. f. 28.

[5] Itm.

[6] Ibm. f. 29.

[7] Ibm.

* *Asm Oric-
tum.*

[8] Ibm. f. 30.

[9] Ibm.

[1] Ibm. f. 31.

to him, and the great *Services* he had done him, he comes to his Answer, here following: That [6] whereas he accused him, That when the *Kingdom of France* was devolved to him by Right of Succession, he importuned him to make a League with the *Almain* to recover his Rights and was only to find expert Soldiers, and he would find Money; which failing, you were, you say, forced to contract great Debts upon Usury. [7] To this he said, That in the *beginning* of his *Government*, when he was *Bishop of Winchester*, it was known by whose Counsel he was Governed. That when the Kingdom had devolved to him by *Hereditary Right*, and so judged in the *Parlement at Northampton*, the two *Bishops of Worcester, Coventry and Litchfield*, were sent into *France* to *Claim* that Kingdom in your Name, and to hinder the *Coronation of Philip de Valois*; which *Embassie* was the greatest occasion of the War. We at that time were not employed in any of your Affairs, but were *hated at Court*, for what cause God knows. Afterwards, when it pleased your Majesty to call me, with others of your Privy Council, to transact the Publick Affairs, we considering the *Danger of Mens Souls, Bodies, and Goods*, by a devouring War, endeavoured with all our Power to make Peace between the Two Kingdoms; but [8] after all Endeavours for Peace proved unsuccessful, and *Philip* had made War upon you, then in a *Parlement at Westminster*, called for that Purpose, seeing the *Obstinacy of Philip*, it was agreed you should League with the *Germans or Almain*s, and others. As for the *Payment of the Expenses* of this War, there were *Agreements* made with certain *Merchants* in a *Council at Stamford*, which are to be found in *Chancery*; which if observed, together with other *Subsidies* granted both by *Clergy and Laity*, and the great *Customs of Wooll*, not only in our own, but in the Opinion of all the Council, had been sufficient for the whole War, if well managed. [9] And your Majesty knows well, that these *Agreements* were not broken or changed by us, nor did the *Subsidies* come to our hands; because after your first *Passage* we staid not in this *Kingdom*, but with the *Reverend Fathers* the *Cardinals and Bishop of Durham*, went into *France* to treat of *Peace*, often going backward and forward from and to your self, then in *Brabant*; and afterward, when there was no *hopes* of *Peace*, staid some time with you there, and were made *Partakers* of your *Necessities*, and with other *Prelates* and *Great Men* of *England*, became bound with you for great *Sums* upon *Usury*.

The [1] second thing charged upon him in the King's Letters, he says, was yet more wonderful (That when the *Ninth* was granted, he promised effectually to assist in the levying of it; but that by reason of the nonperformance of that *Promise*, when before *Tournay*, he was forced to consent to a Truce, contrary to his Mind;) To this he said, the whole *Subsidy* for the *Ninth* for the first Year, was assigned to his *Creditors* before his second *Passage*, as might appear by the *Assignations* themselves; and therefore it was manifest, that he neither promised to send, nor could send any thing to the *Siege of Tournay*, especially not knowing when it began.

To

To the [2] third thing, (That the *Necessities* and great *Streights* he was in were brought upon him by his *Fault, Negligence, and Malice*, as also of his other *Officers*, some of whom he was forced to remove, and imprison others, lest his Friends that were with him, and Allies beyond Sea, should leave him: And when desiring to have a better *Information of his Affairs*, he sent for him, &c.) The *Arch-Bishop affirms*, he made no *Promise* [3] to send Money to him; and therefore such as Warred in his Service, could not complain of his *Fraud or Negligence*. And professing again how diligent he had been, and faithful, both then and at all times in his Service, he says, [4] as concerning his Faithful Friends, and those that accompanied him in his Enterprizes beyond Sea, who desired a fit Remedy to be applied to those ill Services, that brought him into those Inconveniences and Misfortunes; it was to be believed, according to their Words, that as culpable or guilty of any Fault, they were to be punished by just, not arbitrary Process. Then as to his Two Messengers, first *Nicholas Cantilupe*, bringing the King's Letters of Credence, he only cited and enjoined him to go into *Brabant* to pay the King's Debts, and stay there while they were paid; so that if he had been summoned to have been at *London* with the King, as his Letters intimated, he must have been here and beyond Sea at the same time. As to *Ralph de Stafford*, he came without Letters, and by bare Word cited him to come to the King, affirming he ought not to fear any Treachery, [5] and says (this notwithstanding) that tho' the King's Letters of Conduct at first view seemed sufficient for his coming to, staying at, and returning from his Councils, if he had been summoned, as he was not; yet the same day he received these Letters of Conduct, the *Sheriff of Canterbury* brought him the King's Writ to appear at *London* before the King and Council upon a Contempt: So as tho' the King's Letter gave him free liberty of returning, yet by the King's Writ he was of necessity to fall into his Enemies hands; [6] (*quod non decuit, nec decuisset Regiam Majestatem*) which became not, nor could become Royal Majesty: Nevertheless, he was, and should always be ready to answer what should be objected against him, before the *Prelates and Peers*, saving his State and Order; *Statu nostro & Ordine semper salvo*.

As to what was [7] charged upon him (for publishing Sentence of Excommunication, and commanding it to be published, against the Violators of Ecclesiastic Liberty and the Great Charter, to blacken the King's Reputation, defame his Ministers, and traiterously move Sedition amongst the People, and to withdraw the Affections of the Earls, Barons, Nobles, and Great Men, from the King) because it seemed to affix the Crime of Treason upon him, in which case no King or Temporal Lord could be his competent Judge, he protested openly and publicly, by these Presents, That what he said, or should say, he intended not to prejudice his State in any thing, but wholly to decline Trial by any Secular Judge whatever: [8] *Quia premissa proditiōis crimen in Caput nostrum retorquere videntur, quo casu Rex nullus, vel Dominus Temporalis, iudex noster competens esse potest, sicut satis Superius est ostensum; protestamur palam, & publice per Prentes, Quod dicta vel dicenda, in nullo, Statu nostro prejudicare intendimus in hac parte, sed iudicis cuiuscumque Secularis examinetur*

E e

[1] Ibm.

[3] Ibm.

[4] Ibm. f. 32.

[5] Ibm.

[6] Ibm.

[7] Ibm. 34.

[8] Ibm.

[9] Ibm. f. 35.

totaliter declinari. At last, as to [9] his Prodigality in giving away the Revenues of the Crown to undeserving Persons, and wasting the Product of them, and converting the King's Treasure to his own use, he utterly denies it, asserting again his Innocence, and the great Service he had done, the Labour and Expences he had been at for the Crown. And near his Conclusion he says, *Hec [1] ad Libellum famosum responsa sufficient in presenti*; This may suffice for Answer to the scandalous Libel at present, and wistheth for the King's Honour it had neither been wrote or published.

[2] Ibm. f. 36.

The King's Reply to the A. Bp.'s Answer.

The King [2] replied very briefly to this Answer, reproves him for his insolent and undutiful Language; tells him how much he Honoured and Revered his Spiritual Fathers, and that he ought not to overlook their Offences, when he saw them tending to the Danger of him and his Government: And shews him his Mistake, when he complained he was condemned of Capital Crimes, being absent and unheard, as if he in those Letters wrote in his own Vindication only, had proceeded criminally against him; and forbids him and all other Bishops to publish any Sentences of Excommunication, or other things, against the Rights of his Crown, or derogatory to his Royal Dignity and Prerogative, as they had been always used by his Progenitors.

A Parliament called.

[3] *Class. 15*

Ed III. Part 1

A. D. 1341.

[4] *Rot. Parl.*

1. 3. p. 8.

The A. Bp. humbles himself to the King, and begs pardon.

During this Controversie between the King and Arch-Bishop, there was a Parliament called to meet at Westminster, on Monday next after the *Quinden* of Easter, the Writ of Summons in ordinary bearing Date March 3. at Westfokke. [3] In this Parliament the Arch-Bishop appeared, and humbled himself to the King; [4] (*le dit Ercevesque se humilia a nostre Seigneur le Roy*) requesting his Favour and Good-will, to which the King received him, and for which the Prelates and Great Men gave him all possible Thanks they could think of. And then the Arch-Bishop prayed the King, That having been defamed through the whole Kingdom, he might be Arraigned before his Peers in full Parliament; (*q'il puisse estre arestnez en pleyn Parlement devant les Piers*) which the King granted; (*quen chose le Roy otroia*) but said, he would that the Business touching the State of the Kingdom and Common Benefit, should be first dispatched.

[5] Ibm. n. 43.

A Committee appointed to examine the A. Bp.'s Answer to the King.

Afterwards [5] in the same Parliament, the Bishops of Durham and Salisbury, the Earls of Northampton, Warwick, Arundel, and Salisbury, were appointed to hear the Answer of the Arch-Bishop, to the things charged upon him by the King (*de choses que lui sont surmyes par le Roi*) so as if his Answer was allowed; then the King of his good Grace should hold him excused (*adonques le Roi de la bon grace lui tenera pur excusé.*) And in case his Answer seemed not sufficient to the King and his Council, then it was to be debated in the next Parliament, and there Judgment given concerning it; and in the mean time all things [6] touching the Arraignment of him (*totes les choses touchants la reinement Lercevesque de Cantirbery*) remained with Sir William Kildesby, Keeper of the Privy Seal.

The

The next Parliament was in the 17th of Edw. III. when the King [7] commanded, that the things touching the Arraignment (*les choses touchants l'araignement Lercevesque de Cantirbery*) of the Arch-Bishop, which remained in the hands of Sir William de Kildesby, to be advised upon this Parliament, (*pur aver ent avisement de ce Parlement, soient adnules, & ouster de tut*) should be annulled and totally outed or laid aside, as such as were neither reasonable or true: (*come celles que ne sont pas raisonnables ne veritables*) and Master John de Urford was commanded to bring them into Parliament, to be vacated there.

The Parliament in the 15th of Edward the Third, which began on Monday next after the *Quinden* of Easter, being that year April 23, because the Prelates, Earls, Barons, and other Great Men were not fully come (*pur ce que les Prelats, Countes, Barons, & autres Grantz, ne sont pas pleinement venus*) was continued [1] from day to day until Thursday; when the cause of Summons was [2] declared with the common Preface, That Philip de Valois, who called himself King of France, had wrongfully seized his Lands, Seigniories, and other Possessions in the Duchy of Guien, and other-where; and also, as much as he could, supported his Enemies the Scots against him; That it had been agreed by the Prelates, Earls, Barons, and the Commonalty of the Land in full Parliament, that he should pass beyond Sea to purchase Friends, Allies, and Retainers, to help him to conquer his Rights, (*que nostre Seigneur le Roi se purchaseroit amys, allies, & retenantz qui lui pourroient aider a conquer ces droitures, &c.*) to which purpose there had been granted many Aids that had been diverted, and spent by some of his Officers and others, to his great damage, and hindrance of all his Business; That he intended not to ask any new Subsidy, but charged and requested very earnestly the Great Men, and others of the Commons, that they would Treat together, and advise among themselves, that is to say, the Great Men by their selves, and the Knights of Counties, Citizens, and Burghesses by themselves, (*si ad il chargez & priez en chargeance manere les ditz Grantz, & autres de la Comune, qils se treissent ensemble & s'avisent entre eux, cest assavoir les Grantz de par eux, & les Chivalers des Countees, Citeyns & Burgeys de pas eux*) how he might best be served, and receive the Arrear of the Ninth for the first year; and how he might most speedily receive them for the second year, before the Feast of St. John Baptist next coming, for the Attchievement of his great Business, with the aid of God; and to give their Answer on Saturday next following.

But the Consideration of this Matter was put off, until the King's Answers [3] to the Petitions of the Great Men, the Commons, and Clergie, were made into Statutes, which were shewn to the King, with certain Conditions demanded by the Great Men, and Commons, upon the grant of 30000 Sacks of Wooll made to him, in compensation of the Ninth of the second year; (*od ascuns condicions que les Grantz & la Comune demanderent du Roi sur le grant, quil ferroient a lui de 30000 *sakers de leyn in recompensacion de la neufsme garb, aignel, & voisin del an second;*) The Statutes and Conditions were read before the King, and the great Officers and Justices required to Swear to the Observation of them, as it might in their places belong to them. The Chancellor, Treasurer,

[7] *Rot. Parl.*

17 E. III.

n. 22.

The things against the Arch-Bishop to be vacated in Parliament, as neither reasonable or true. Note what year this was.

[1] *Rot. Parl.*

15 E. III.

n. 4.

[2] Ibm. n. 5.

The cause of Summons to Parliament declared.

[3] Ibm. n. 43.

* Then with the Custom about the value of 180000 l. Statutes made with Conditions.

The Chancellor, Treasurer, and some Justices, would not consent to them.

surer, and some of the *Justices* made *Protestation*, they neither consented to the *making*, or *form* of them, nor that they could observe them, in case they were contrary to the *Laws* and *Usages* of the Kingdom, which by Oath they were bound to keep; yet these *Statutes* and *Conditions* were sealed with the Great Seal, and delivered to the *Great Men* and *Knights* of Counties, (*as Grants, & as Chivaliers du Countees.*)

Some of the King's Answers to the Articles, or Petitions of the Clergy brought in by the Arch-Bishop, and other Bishops, are remarkable. As to the second, That the Liberties of the [4] Church, and all Liberties granted to any other Estate, or Persons, may be observed; and that the Great Charter may be proclaimed again, and confirmed by Oath: The King's Answer was, He would the Observation of the Great Charter, and other Liberties; which being exemplified [5] under the Great Seal, he thought was sufficient, and that there was no need of Swearing to it, considering that in the Kingdom there were already too many Perjured, (*par trop y ad parjurs en son roialme.*)

To the fifth, That [6] several of the King's Officers, and others, have enter'd into *Religious Houses* and *Parsonages*, and by force taken away their Goods, and further by Oaths forced upon Religious Persons and Parsons, have enquired of things within their Houses, and them so found have carried away, his Answer was, [7] That he would not that any Man should enter into the Churches *fee* against their Liberties, nor would that any of his Officers should enter into the Churches, Lands, or Houses, to take their Goods; but if Laymen to defraud him brought their Goods thither, he thought himself wronged.

To the seventh, [8] That the King's Officers levied of Parsons, Rectors of Churches, the *Ninth Sheaf*, the *Ninth Lamb*, and the *Ninth Fleece*, when they ought only to have paid their Tenth, the Answer was, [9] He would not the *Ninths* or *Tenths* to be otherwise paid then they were granted, that is, the *Ninths* by such as held a *Barony*, or used to be summoned to Parliament. And then the King [1] granted for him and his Heirs, That if any Person do any act against the form of the Great Charter, or any other good Law, that he should answer in Parliament, or other place where he ought by Law to answer.

The Statutes, and the Conditions above-mentioned, are enter'd into the back of the Roll, and Printed in the *Statutes at Large* this year, and are a true Translation of the Record in French. In the Third Chapter of the Statutes it was agreed, That the Chancellor, Treasurer, Barons, and Chancellor of the Exchequer, the Justices of both Benches, Justices assigned in the Country, Steward, and Chamberlain of the King's House, Keeper of the Privy Seal, Treasurer of the Wardrobe, Controllers, and those that were appointed to remain and be about the Duke of Cornwall, should then be sworn in Parliament; and so from thenceforth at all times, when they should be put in Office, to keep and maintain the Privileges and Franchises of Holy Church, the Points of the Great Charter, the Charter of the Forest, and all other Statutes, without breaking any Point.

In the 4th Chapter of the same Statutes it is said it was agreed, That if any of the Officers aforesaid, or Controullers, or Chief Clerk

[4] Ib. n. 20. The King's Answer to some of the Conditions.

[5] Ib. n. 28.

[6] Ib. n. 23.

[7] Ib. n. 30, 31.

[8] Ib. n. 25.

[9] Ib. n. 32.

[1] Ib. n. 35.

Where the Statutes and Conditions are.

Great Officers to be sworn in Parliament.

Orders about the Justices and great Officers.

Clerk in either Bench, by Death or by other Cause, be put out of his Office, that the King by assent of the Great Men, which should be nearest him in the Country, and by the good Counsel he should have about him, should put another convenient into his Office, who was to be Sworn according to the Form aforesaid: And that in every Parliament the King should take into his Hands, at the third day thereof, the Offices of all the Ministers aforesaid, and so to remain four or five days, except the Offices of the Justices of both Benches, Justices assigned, and Barons of the Exchequer; so as they might be put to answer every Complaint: And if by Complaint, or otherwise, they or any of them should be found faulty, then to be attainted in Parliament, and punished by Judgment of the Peers, and outed of his or their Office, and another convenient put in his place: And the King was to cause Execution to be done without delay, according to the Judgment of the Peers in Parliament.

It is very probable, that these Agreements concerning the Officers were the Contrivances of the Arch-Bishop, Bishops, and Clergie; for it was a great trouble to them, that the Chancellor, Treasurer, and many other Officers who were Clerks, had been put out of their Offices (as hath been related before) at the King's arrival in England; and others, that were Lay or Secular Persons, placed therein. [2] *Rex Edwardus Angliam intravit, ministros suos videlicet Cancellarium, Thesaurarium, & alios amovit; non Clericos, imo Seculares ad placitum suum substituit.*

The Statutes above-mentioned were some months after the making of them (that is, on the first of October next following) revoked by the King, as contrary to the Laws and Customs of the Land, his Prerogatives and Royal Rights, by the Advice and Consent of the Earls, Barons, and other Wisemen; as appears by the Revocation it self of the same Date, directed to the Sheriff of Lincoln, Printed in this year in the Statutes at Large, and in Pulton; as likewise by a Writ directed to the Arch-Bishop of Canterbury. The King [3] to the Venerable Father in Christ, John Arch-Bishop of Canterbury, Primate of all England, Greeting: Whereas some time since in our Parliament at Westminster, assembled in the Quinden of Easter last past, there were certain Petitions made, expressly contrary to the Laws and Customs of England, and not only very prejudicial, but reproachful also to our Royal Dignity; which if we had not permitted to have been drawn into a Statute, the said Parliament had been without success, and dissolved in Discord, and so our Wars with France and Scotland, which we principally undertook by your Advice, had very likely been (which God forbid) in ruin; And we, to avoid such dangers, permitting Protestations of revoking those things, when we could conveniently, that had so been extorted from us against our will, yet permitted them to be sealed with our Seal at that time: And afterward by the advice and assent of the Earls, Barons, and other Wisemen, for Lawful Causes, because our consent was wanting (or as it is in the Revocation, directed to the Sheriff of Lincoln, because we never consented to the making of the Statute; but as then it behoved us, we dissuaded in the Premises, &c.) we have declared it null, and that it ought not to have the name and force of a Statute. And we under-

Contrived by the Clergie.

[2] *Walsingh.* f. 150. l. 13.

The Statutes and Conditions above-mentioned revoked.

[3] *Append.* n. 88. The King's Writ to the Arch-Bishop that in a Provincial to be holden at London.

Nothing be done prejudicial to him or his Crown.

Nor to confirm the Statute and Conditions.

understand, you have commanded a Provincial Council to meet at London, on the morrow of St. Luke next coming; in which you intend to excite the Bishops of your Province against us, and to ordain and declare some things prejudicial to us, about confirming the said pretended Statute, and for the enervation, depression, and diminution of our Royal Jurisdiction, Rights and Prerogatives; for the preservation whereof we are bound by Oath; also concerning the Process depending between us and you for certain Matters charged upon you by us; and that you intend to promulge grievous Censures concerning these things: We willing to prevent so great mischief, do strictly forbid, that in that Council you do not propound, or any ways attempt, or cause to be attempted any thing in derogation, or diminution of our Royal Dignity, Power, or Rights of the Crown, or of the Laws and Customs of our Kingdom, or in prejudice of the Process aforesaid, or in confirmation of the pretended Statute, or otherwise in contumely of our Name and Honour, or to the grievance or disadvantage of our Counsellors or Servants. Know ye, that if you do these things, we will prosecute you, as our Enemy and Violator of our Rights, with as much severity as lawfully we may. Witness the King at Westminster the first day of October.

The Revocation was confirmed, or rather the Statute vacated in Parliament the 17th of Edward the Third, in the very next Title or Number to the Acquittal of the Arch-Bishop, as followeth; [4] 'Also it is accorded and assented unto, That the Statute made at Westminster in the Quinden of, or fifteen days after Easter, shall be wholly repealed and annulled, and loose the name of a Statute, as being prejudicial, and contrary to the Laws and Usages of the Kingdom, and the Rights and Prerogatives of the King. But for that there are some Articles in the same Statute which are reasonable and agreeable to Law, (as in the Revocation in Print) 'tis agreed by the King and his Council, that those Articles, and others, accorded in this present Parliament, shall be made into a new Statute, by the advice of Justices and other Sages, which shall be perpetual.

The Necessitous Condition of the King's Affairs requiring 20000 Sacks of Wooll to be [5] transported before Michaelmas next coming, it was provided, That no Man before that time should send over Sea any Wooll, on pain of thrice the value, and loss of Life and Member.

How this Arch-Bishop was prohibited, and kept from entering in at the Door of the Painted Chamber, where the Parliament late, by Two Serjeants at Arms placed there by the King; we have it in Birchington, the Monk of Canterbury, [6] in his Life. On Saturday, the Feast of St. Vital, or 28th of April, being the sixth day of the Parliament, he came to Westminster, and to the Door of the Painted Chamber; The Serjeants told him, they could not permit him to go in; To whom he said, the King called him to Parliament by his Writ, That he was after the King the greatest, and ought to have the first Voice, (ego sum major post Regem, primam vocem habere debens) That he challenged the Rights of his Church of Canterbury, and demanded entrance into the Chamber; but the Serjeants expressly denied it to him, and to the Bishops of London and Chichester, who were with him. Then advancing his Cross, he

[4] Append. n. 89. The Revocation confirmed in Parliament.

20000 Sacks of Wooll to be Transported. [5] Rot. Parl. 15 E. III. n. 45.

[6] Hist. Sac. vol. 1. f. 39, 40. The Arch-Bishop not permitted to enter the Painted Chamber where the Lords fate in Parliament.

he told them, That he would not depart from that place until the King should command him; at length, staying there, the Earl of Northampton and Salisbury coming out, he desired them to acquaint the King with what had been done; and that they would request him in his Name, to preserve the Right of the Church of Canterbury. At last, with his Fellow Bishops, and the Bishop of Ely, he was admitted into the Chamber, where Treating with the Prelates and Peers of the Land, the King withdrew. On Thursday following, being the 3d of May, in full Parliament, he with Ten Bishops, Eight Earls, Four Abbots, Eight Barons, (all there named) the King's Chamberlain, John Darcy, Bartholomew Burghersh, the Mayor of London, the Barons of the Cinque-Ports, and Knights of the Community of England, (ac militibus communatis Anglie) appeared before the King, and supplicated him for the Arch-Bishop, who admitted him into favour; but did not then (as Birchington affirms) excuse him wholly from his Crimes, as is clear from the Parliament Records above cited.

Not long after the Dissolution of this Parliament, Lewis the Emperor [7] wrote to King Edward, That Philip King of France had given him Authority by his Letters, to Mediate a Peace between them; which, tho incumbent with many and weighty Affairs, he was willing to undertake, it being very expedient for, and advantageous to himself, Kingdom, and Allies; if he would give him like Power by his Letters to Treat of, and make a Peace, or Truce for a year or two. Nor (as he says) ought the Friendship enter'd into, and contracted between him and Philip King of France, move King Edward; for since he had made Truce and Agreement (meaning the Truce at Tournay) with Philip without his knowledge, will, or assent; by advice of his Princes, who knew his Leagues, Agreements and Unions, to whom it seemed he might with Honour make Agreement and Friendship with the King of France, he had contracted and enter'd into Union with him. And for the Causes before noted he revoked his Commission, by which he had made him Vicar of the Empire; yet certainly letting him know, that in his Mediation and Treaties he would provide for him like a Brother; and if he would acquiesce in his Advice, his Cause should be brought to a good end by his assistance. And for his further intimation he sent to him one of his Chaplains, who he desired might speedily be sent back. These Letters were dated at Francfort, June the 24th.

To which Letter King Edward sent his Answer, [8] That he had received it with Respect; and then reciting the chief Contents of it, commends his Zeal for making an Agreement between him and Philip of Valois, giving him notice, That he always wish't for a reasonable Peace with him, which he had prosecuted as much as he could with Justice; and that he then desired such a Peace, as he wished for, might be procured at the instance of 40 great a Mediator. But because he knew his Right in the Kingdom of France to be sufficiently clear, he would not by his Letters commit it to a doubtful Arbitration or Judgment; much wondering he should join with Philip, that had done him such notorious injury, when seeing the evident Justice he had for his Demands, and Philip's obstinacy in not complying with them, he had for that reason enter'd into a League with him. And as

At last he was permitted to enter.

And admitted to favour by the supplication of Great Men.

[7] Append. n. 90.

The Emperor by Letter offers his Mediation of a Peace with France.

[8] Append. n. 91.

King Edward by his Letter refused to accept it.

to what was said, That he *without his knowledge or assent* had made Truce, and entred into a Treaty of Peace with Philip, considering the Circumstances of the Fact it ought not rationally to have moved him; becaufe at that time he besieged Tournay, and ought to follow the advice of those that were with him, and gave him their assistance; Considering also that Winter was coming on, and the distance between them, he could not be permitted to consult him. And further he put him in mind, That he had granted, that when he had opportunity he might Treat without his knowledge; but so as not to make a final Peace with Philip without his consent, which he never intended to do. It seemed also to some, that the Revocation of the Vicarship was too suddenly done, when as according to the Agreement by the height of Imperial Power made with him, it ought not to have been done, until he had obtained the Kingdom of France, or the greatest part of it. Dated at London the 18th day of July, in the second year of his Reign over France, and over England the Fifteenth.

After the Truce at the Siege of Tournay, [9] John Duke of Bretagne, who had served the King of France in his Army, in the way toward his own Country fell sick, and died without Issue: After his death there arose a controversy between Charles Earl of Blois, and John Earl of Montfort, about Succession to, and Enjoyment of that Dukedom. Their Titles were thus; Arthur the second had [1] Two Sons by his first Wife, this Duke John, and another who Married, and had a Daughter only, and died before the Duke his Brother. This Daughter was Married to Charles Earl of Blois, Nephew to Philip the French King by his Sister. The same Arthur by a second Wife had a Third Son, who did bear the Title of Earl of Montfort. The Question was, Whether the Wife of the Earl of Blois, or the Earl of Montfort, was nearest in Blood to the late Duke.

Upon the Dukes Death Montfort went to Nantes, the chief City in Bretagne, [2] where he was received by the Citizens and People of the Country thereabout, as their Lord, and as nearest of Blood to his Brother, who did homage and swear fealty to him. To this place he summoned in the [3] Nobility, and the best sort of People of the Country, and good Towns of Bretagne, who appeared not; whereupon he raised an Army, and took the Town and Castle of Brest, the City of Rennes, the Town and strong Castle of Hannybont, the Town and Castle of Caraches.

Yet after all this the Earl [4] of Montfort, fearing the Earl of Blois by the power of France might drive him out of the Dukedom, came into England, and offered to King Edward to hold it of him by Homage and Fealty, if he would defend him against the French King, and all others who should give him Trouble in this Matter. The King accepted his offer, and thought he should have great advantage by it, as not having a more commodious way of entering France than by Bretagne; calling to mind, that the Alemans or Germans, and Brabanters, had done little or nothing for him; and only made their own advantage by spending him much Money. After Homage done, King Edward in the presence of the Lords of Bretagne, and England, that were present, promised he would aid and defend him, as his Liege-man, against the French King and all others. The Homage and Promises were written, sealed, and delivered interchangeably. The

[9] Froissard, l. i. c. 64. The Duke of Bretagne dies.

[1] Ib. and Robert of A. curbury, p. 98. l. c. 40. Competitors for the Dukedom.

[2] Froissard, Ibidem. The Citizens of Nantes and some others own Montfort. [3] Ib. 65, 66, 67. The Nobility and best sort of People appear not upon his Summons.

[4] Ib. c. 68. He offers to hold the Dukedom of the King of England by Homage and Fealty. King Edward accepts his offer, and prometh to defend him.

The French King observing what the Earl of Montfort had done in Bretagne, and hearing he had done Homage to the King of England for that Duchy; at the Request of the Earl of Blois he was summoned to appear at Paris before the King, Twelve Peers, and other great Lords of France. He appeared according to Summons, [5] and when the French King charged him with having done Homage to his Adversary, the King of England, he denied it: He then commanded him by all he held of him, that he should not depart from Paris in Fifteen days, in which time the Twelve Peers, and other Lords, should judge of his Right. But he suddenly and privately withdrew from Paris, and returned into Bretagne.

Nevertheless the Peers and Lords on the 15th day gave their Opinions concerning the Title and Inheritance of the Duchy, That it belonged to Mary the Wife of the Earl of Blois; and further their Opinions were, That if ever the Earl of Montfort had any Right, he had forfeited it two ways, by doing Homage, and receiving it from any other Lord than the King of France, of whom he ought to have held it; and by disobeying the King's Commands, in going from Paris without his Leave.

No sooner was this Judgment passed for him, [6] but the Earl of Blois, with great assistance from the King of France, entered Bretagne, and surprized and took the Earl of Montfort in the Town of Nantes, by the Treachery of the Townsmen; from whence he was sent Prisoner to Paris, and there died. This was done (says Foissard [7]) in the year 1341, about the Feast of All-Saints, which was in the Fifteenth year of Edward the Third; after whose Death his Widow, Sister to the Earl of Flanders, a Princess of great Prudence and Courage, [8] maintained the War against the Earl of Blois, and kept possession of those Parts and Places of Bretagne, as had not been brought under his power. This was in the beginning of Winter, when the French Nobility, that came with the Earl of Blois by the King of France his Command, retired, the fury of the War then ceasing; but failed not to return in the Spring, to attempt to take from the Countess of Montfort what remained in her possession. So soon as she was informed of their return, she sent [9] Emery de Clisson, a Lord of Bretagne, into England, to Request Assistance of the King, propounding her Son John, Heir to the Earl of Montfort, as a Husband to one of his Daughters, (who was afterwards [1] Married to Mary his fourth Daughter, and she enjoyed the Title of Dutchess of Bretagne.) The Proposition was readily agreed to by the King, and he sent Sir Walter Manny into Bretagne, with as many Men [2] at Arms as Sir Emery desired, and also 3000 Archers; but these were not sufficient to defend the Country against the Force of the Earl of Blois, who had taken Rennes, Vannes, and other Places; and would have conquered all Bretagne, if not speedily opposed.

[3] This Account was sent to the King by Messengers from the Countess, and Sir Walter Manny; whereupon he sent Robert de Artois with more Men, Arms, and Archers, to reinforce Sir Walter. [4] This joint Force besieged and retook Vannes; but not long after Vannes was recovered by assault, made by the Forces and Friends of Charles of Blois; in the defence whereof [5] Robert de Artois was much, and dangerously wounded; who not long after

The French King summons him to Paris.

[5] Ib. c. 69, 70. He denies he did Homage to the King of England.

The Peers of France give the Title of the Duchy of Bretagne to Mary the Wife of the Earl of Blois.

The Earl of Blois enters Bretagne.

[6] Ib. c. 71, 72. Surprised and took Earl Montfort.

[7] Ib. c. 72. A. D. 1341. Who died at Paris, being there Prisoner.

[8] Ib. c. 79. and Du Chêne, f. 656. B. His Widow maintains War against the Earl of Blois.

[9] Ib. in both. She sends to the King of England for assistance.

[1] Savail. Genealog. Hist. f. 179. Which she received.

[2] Froiss. & Du Chêne, ut supra. A. D. 1342.

Upon the Marriage of her Son with the King's 4th Daughter.

[3] Ib. f. 86. p. 90. & Du Chêne, f. 657. B.

[4] Du Chêne, l. iii. c. D. Froiss. c. 92.

[5] Ib. c. 92. Du Chêne, f. 658. B. C.

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[4] Du Chêne, l. iii. c. D. Froiss. c. 92.

[5] Ib. c. 92. Du Chêne, f. 658. B. C.

The Scots enter into, burn and waste the Borders.

[6] lb. in both. An Army raised, with which [7] Clause 16 E. III. M. 20. Dors. the King went in Person into Bretagne. He wrote to the Pope to Command Prayers, &c. to be made for his Successors. [8] N. [9] Clause 16 E. III. p. 2. M. 23. Dors. [1] Freiff. c. 94, 98. Two Cardinals sent by the Pope to mediate a Truce, which was obtained for 3 years.

[2] F. 659. B.

The Articles of the Truce.

The first Article is according to Aversbury.

after returned into England, in hopes of better Chirurgeons and Medicines, and died there.

The mean while the Scots entered into England, plundered, burnt, and ravaged the Counties of Northumberland, Cumberland, and the Bishoprick of Durham; against whom the King raised an Army in the Northern Counties.

King Edward very much disturbed [6] for the Death of his great Friend, and at the Progress of Charles of Blois, raised a great Army, and appointed it by Proclamation [7] to be ready to pass with him into Bretagne by Midsummer following; and then wrote to Pope Clement the Sixth to put up Prayers to the Almighty for his happy Progress, and that he would cause Preachings, Processions, and other Pious Offices to be exercised in England for a Blessing upon his Armies, which at that time he intended against France and Scotland. The Letter it self being written in an extraordinary strain of Piety and Devotion, and to shew the Detestable Latine of those times, is Printed in the Appendix. [8.] Notwithstanding his Proclamation, he could not get ready [9] until the 4th of October, when he took Shipping at Sandwich; and sailing toward France he met with the French Fleet; from which, after a sharp Engagement, they were separated by Storm. At length he landed near Vannes in Bretagne, which he besieged; and [1] the French Army, under the Conduct of the Duke of Normandy, lay ready to relieve it. At which time the Pope sent the Two Cardinals of Penestrin and Tusculum, who mediated a Truce for Three years; for the maintaining whereof the King of England, and Duke of Normandy (as Froissard says) made Oath, according to the Articles of the Truce which do here follow, tho not exactly according to the form in Robert of Aversbury, p. 100. c. 42. or in Tho. Walsingham, f. 159. n. 10, 20, &c. which is tedious and without method, but according to Du Chesne, [2] who hath drawn up the whole and entire Sense of them in a short Form.

1. For the Reverence of Holy Church, and the Support of Christianity, and Ease of the Subjects of both Kings, and the Honour of the Cardinals Treating Peace and Concord between them, they would send some of their Blood, and others to the Court of Rome, to end all Differences and Debates before the Pope, having Power by Advice of the Pope, and Consistory of Cardinals, to alledge and propound their Reasons; not that he should end and decide it, or give Sentence, but only for the making a better Peace and Treaty.

2. The Treators, or Ambassadors, shall appear before the Pope by the Feast of John Baptist, or Midsummer-day next coming; That before Christmasts the Treaty may be ended, if nothing happens for the prolonging of it; or in case the Pope be not hindered by other Business, or that he cannot compose in that time the Differences between the Kings; yet nevertheless the Truce shall continue for Three years after the Feast of St. Michael then next following, between the King of England and France, the King of Scots, and the Earl of Haynault, and all the Allies of the said Kings, that is to say, the Dukes of Brabant and Gelderland, the Marquiss of Juliers, Monsieur John de Haynault, and the People of Flanders, in all their Lands and Seignories.

3. That

lb. & Walsing.

3. That the King of Scots, and Earl of Haynault, and other Allies of the Kings, shall send their Messengers or Ambassadors to the Court of Rome, by the Feast of St. John, with sufficient Power to consent to, and confirm the Treaty before the Pope, for what belongs to them; but if they would not send, the Treaty was to proceed notwithstanding.

4. That the Truce shall be observed in Bretagne between the Two Kings, and their Allies, notwithstanding they both pretend Right to the Dutchy.

5. The City of Vannes shall remain in the Hands of the Cardinals, or of one of them, to be holden during the Truce in the Name of the Pope. And after the end of the Truce, they may dispose of it as they please.

6. That the Cardinals shall labour diligently, to find some way how the Flemmings may be absolved from the Popes Censures they had incurred.

7. That the Earl of Flanders may remain in his Earldom, as Lord without Mean, but not as Sovereign, provided the People do Consent.

8. Both Kings shall endeavour without fraud, that their Subjects do not make War upon one another, in Gascoign, nor in Bretagne, during the Truce, or in any other place; and in case they should, there should be no Rupture between them.

9. That none, who were under the Obedience of one King, before or at the time when the Truce was made, shall put himself under the Obedience of the other during the Truce.

10. That nothing shall be given or promised, directly or indirectly, to any Party to make War during the Truce.

11. That the Truce be kept, and observed by Land and Sea, and Sworn to by both Parties, and speedily published in both Armies, and within Fifteen days in Gascoign, Bretagne, and Flanders; and in England and Scotland within Forty.

The residue of the Articles are the same with those of the Truce, made at the Siege of Tournay, the 25th of September 1340, in the Fourteenth of Edward the Third, before noted. This Truce was made in the Priory of St. Mary Magdalen in the Town of Malatrait, and Signed the 19th of January 1343, according to Aversbury, and on the same day 1342, according to Walsingham.

About five Weeks after this Truce was Signed, [3] Writs were sent forth for a Parlement to be holden at Westminster, on the Monday next after the Quinden of, or 15th after Easter; Teste Casode, Witnels the Guardian of England, Feb. 24. &c.

The chief cause of Summons of this Parlement (signified also in the Writ it self) [4] was to treat and advise with the Great Men and Commons (od les Grantz & Commes) what was best to be done about the King's Affairs, concerning the Truce made between him and his Adversary of France; and then touching the Government and Safety of this Nation and his People. And for that Monsieur Bartholomew de Burghesh, who was with the King in Bretagne at the making of the Truce, knew best how things went there, the Chancellor sent to him to come, and declare in Parlement

F f 2

ment

[3] Clause 17 E. III. Part. i. M. 25. Dors. Writs for a Parlement.

[4] Rot. Parl. 17 E. III. n. 7, 8, 9.

The Declaration of the Cause of Summons.

ment the manner of making the Truce; who reported, That after the King had begun the War with France, by Assent of the Prelates, Great Men, and Commons, (*par Assent des Prelatz, Grantz, & Communes*) to conquer his Rights and Inheritance there, he many times passed the Sea with his Host; and in his last Passage had harassed the greatest part of the Dutchy of Bretagne; and by God's Assistance had taken Towns, Castles, and Forts: At last he came to the City of Vannes, which by Advice of the Great Men with him, he besieged, where he was desired by the Pope, for the Reverence of God and Holy Church, he might send Two Cardinals with Terms of Peace, or a Truce until a Peace might be treated of, and concluded. The King perceiving the Truce to be Honourable and Advantageous for him and his Friends or Allies, assented to it, that during the continuance thereof, a Treaty of Peace might be had before the Pope, as a Mediator and Friend, but not as a Judge, or one to whom the matter was compromised; (*come meen, amy, & noun pas come juge, ne recompromissair*) which Peace, if Good and Honourable, the King would accept; if not, he would pursue his Quarrel. And he said further, That because the War was begun by the Common Assent of the Prelates, Great Men, and Commons, the King would not treat of, or make Peace, without their Common Assent. Wherefore the Prelates and Great Men were charged (*surent chargez*) to Assemble on Thursday the First of May (*Joedy le primer jour de May*) to treat, advise, and agree among themselves, whether the King ought to send Envoys to the Court of Rome to propound his Rights before the Pope, or not. And in the same manner the Knights of Counties and Commons were charged (*surent chargez les Chivalers des Countees & Communes*) to assemble in the Painted Chamber, to treat, &c. and to report their Answer and Agreement in Parlement the same Day (*& de reporter leur respons & leur assent en dit Parlement le dit Joedy*). On which Day the Prelates and Great Men answered, Their Advice was, That the Truce was Honourable and Advantageous to the King and all his Friends; and that every Christian ought to wish the War, which was so great and hurtful to all Christians, might end in Peace: Wherefore they agreed to the Truce, and that the King should send Messengers to Rome, to lay before the Pope, as Mediator and Friend, but not as Judge, his Rights and Demands, in order to a Treaty of Peace, according to the Form of the Truce. And then the Knights of Counties came, and the Commons (*& puis vindrent les Chivalers des Countees & les Communes*) and answered by Monsieur William Trusfel in the White Chamber, who in the Presence of the King, Prelates, and Great Men (*qi en presence de nostre Seigneur le Roy, & des Prelatz & Grantz*) proposed for the Knights and Commons (*purposa par les Chivalers & les Communes*) that they were fully agreed the Truce should be kept, to the end a good and honourable Peace might be made. And further, the said Commons (*les ditz Communes*) prayed the King to send solemn Envoys, or Messengers to treat of Peace, as abovesaid; and in case he could have an Honourable and advantageous Peace for himself and Friends, he would accept it; but if not, the said Commons (*les ditz Communes*) granted to aid and assist him, and to maintain his Quarrel with all their Power; (*granteront de luy aider, a meyntenir sa querelle oee tote leur poair*).

Several

Several Commissions [5] were made to Commissioners, to treat before the Pope as a private Person, and not as a Judge, with the Commissioners of his Cousin Philip of Valois, upon all Dominions, Dignities, Honours, Lands, Possessions, Places, and Rights, concerning which there was any Controversie or Disfention between them; and also concerning the Right he had or might have to the Crown and Kingdom of France; and generally about all Disfentions, Wars, Quarrels, Commotions, Questions, Damages, Injuries done, given, or made on either side, &c.

In the Cotton Library [6] there is a Treaty as it was managed at Avignon before the Pope, day by day, from the 22d of October, to the 29th of November, by William Bateman Bishop of Norwich, John Offord Dean of Lincoln, the Arch-Deacon of Norwich, Sir Hugh Nevill Knight, and Nicholas de Flisco. The Pope offered many Equivalents to the English for the Dukedom of Guien, &c. to treat about what had been attempted against the Truce, and by whose means it had been broken: But they would not enter upon the Treaty of any other Matter, until they were satisfied in their Demand of the Kingdom and Crown of France for King Edward. By the last Commission there [7] were Two other Commissioners added to the former, John de Thoresby and Sir Ralph Spigurnel Knight, who appeared in the Pope's Court on the Feast of St. Catherine, or 25th of November, before himself, and delivered the King's Letters to him, and he appointed the next day at the time of Vespers to hear them. When Mr. John Thoresby acquainted him that Sir Ralph and he had Commissions, and were sent by the King for two things, for reformation of what had been attempted against the Truce, and also that they might assist the other Commissioners in the Treaty. The Pope appointed them to come before him the 28th Day; but not being then at leisure, he appointed the next Day, when they understanding from the Commissioners of the King's Adversary, That he should have nothing in the Kingdom of France but in subjection to him, they resolved to treat no more before they knew the King's Mind: Whereupon the Pope told them, he would send Sir Hugh Nevill to him with his Letters, and likewise Sir Simon de Bussy to the King of France: And so stood the Treaty at that time, on the 29th of November, 1344. and 18th of Edward III.

During the Treaty, the French King put to death at Paris Oliver de Clifton, and many other Barons and Lords of Bretagne and Normandy (says Froissard [8]) for suspicion of Treason. Du Chesne lays [9] they held secret Intelligence and private Correspondency, and made a League with King Edward under their Seals, contrary to the Ninth Article of the Truce, which was, That none in the Obedience of one King, at the time of Truce, should put himself under the Obedience of the other, while it continued.

The Treaty hitherto having been without Success, [1] the King on the 20th of April issued his Writs for a Parlement to meet on Monday next after the Octaves of Holy Trinity, or 7th of June that Year. The next Day the Names of the Lords were read and examined [2] before the King in Parlement, (item soient les nouns des Seigneurs, &c.) to see who were come, who not; and the Names of those who were not come, were given to the

Commissioners sent to the Pope.
[5] Rot. Fran. 17 Ed. III. M. 12. 20. Maii; ib. 19. Aug. n. 6. ib. 18 Ed. III. M. 3. 4. Aug. ib. M. 2. Osh. 20.

[6] Chancery, Edw. III. F. 28. in the bottom. The Pope offers Equivalents to the English Commissioners. They refuse to treat of any thing but the Crown and Kingdom of France.
[7] Rot. Fran. Ed. III. M. 2. 18. Osh. 20.

[3] lib. i. c. 99. [5] 666. a. 8.

Writs for a Parlement
[1] Claus. 18. Ed. III. Part 1. M. 14. D. 5. A. D. 1354.
[2] Rot. Par. 18 Ed. III. c. 5.

The absent Lords to be punished at the King's Pleasure.

The cause of Summons declared.

[3] *Ibm.* n. 6.

the King in Writing, that he might order such Punishment as he pleased (*pour ordainer lieu punissement come lui plerra.*)

On *Thursday* the Chancellor declared the Causes of Summons to be concerning the Truce made in Bretagne, and the Breach thereof, in seven Articles; and begins [3] thus: (*Seigneurs en les Trewes prises, accordez & affermez par serement en Bretagne entre autres pointz, &c.*) Lords, in the Truce made, agreed, and confirmed by Oath in Bretagne, amongst other Articles it was agreed,

1. That the Truce should be kept in Bretagne between the Kings and their Adherents (*entre les Rois & leur Adherentz*) notwithstanding the Right they both claimed in the Dutchy.

2. Also, That none who were under the Obedience of one of the Kings (*en obedience dun des Rois*) should come under the Obedience of the other King (*del autre Roi*) during the Truce.

3. That there be no renewing of Injuries against one part or other, in prejudice of the Truce, while it continues.

4. Also, That the said Lords, their Adjutors, and Coadjutors and Allies, whatever they be, do remain in such Possession, and such Seisin, as then they had of all their Benefices, Lands, and Possessions (*des toux leur benefitz, terres, & possessions*) which they held, or had any ways obtained, during the Truce.

5. Also, That what was promised to the Earl of Montfort, before, and within, the City of Vannes, might be performed.

6. Also, If any one in Gascoigne, or elsewhere, continuing the Truce, move War against their Neighbour, or Enemy, who shall be in the Interest of either Party, then the said Kings ought not to meddle in it by themselves or others, directly or indirectly (*que le ditz Rois ne se devient mellez par eux ne par autre, droitement, ne noun droitement.*)

7. That to none of either Party shall any Gift or Promise, be made directly or indirectly, to make War during the Truce.

[4] *Ibm.* Things done against the Truce.

And against these Articles several things have been done [4] as the King's Council have been informed (*par ascunes de Bretagne*) by some of Bretagne.

First, That some of the Allies of him, that calls himself the King of France, have taken and imprisoned many Men at Arms of the Allies of our King, and some they sent into France, to remain in Prison there, during the Pleasure of the King's Adversary.

Also the said Adversary caused many Knights, Esquires, and other Persons of Bretagne (*Chevaliers, Esquiers, & autres gentz*) who were known to be in the Legiance and Obedience of our King, before the Truce made, and were comprised in it, and ought to have been protected by it, to be carried to Paris, and there put to death against the Assent and Decree of the Members, and others of his Council in his Parlement; and some he caused to be murdered in their own Country, falsely and maliciously, against the said Truce, and against his Oath. And the said Adversary sent Men at Arms and Foot to a great number, into Gascoigne and Bretagne, who, after the Truce made, took Castles, Towns, Mannors, and Fortlets, and seized Lands and Possessions being in the Possession and Obedience of our King (*esteantz en la possession & en obedience de*

de nostre Seigneur le Roi) at the time of the Truce made, in which, amongst other things, it is contained, That no new thing should be attempted during the Truce (*es queux entre autres choses est contenue que rien seroit attemptez de novell durantes mesmes les Trewes.*) And further [5] the said Adversary endeavours, by all ways he can, or knows, to take and seize all the Lands and Possessions which our King hath beyond Sea, and to procure his Allies in Brabant, Flanders, and Almain, or Germany, to leave him; and hath a firm purpose, as our King and Council have certainly been informed, or have understood, to destroy the English Language, and to possess England (which God forbid) if a forcible Remedy be not applied to his Malice (*& si est il inferme propos a ce que nostre Seigneur le Roi & son conseil ont intenduz en certeyn a destruire la Lange Englois, &c.*)

On the other side (*d'autre parti*) the [6] Scots, who are the said Adversaries Allies, have openly declared, That when he gives them notice, they will not observe or regard the Truce, but march into England, and do what Mischief they can.

Wherefore the King [7] prays and charges (*pur quoi nostre Seigneur le Roi pria & chargea les Prelates, &c.*) the Prelates, Earls, Barons, and Commons, That these things considered, they would give him such Advice and Assistance, as was necessary for the saving his and their own Rights and Honour.

Which things being [8] recited by the Arch-Bishop (*les Prelates, Counts, Barons, & les autres des Commons prirent, &c.*) the Prelates, Earls, Barons, and others of the Commons, pray, That they may deliberate till Monday next following.

And from that Monday [9] because they had not then fully deliberated, they pray till Wednesday, the Vigil or Eve of St. John Baptist; upon which day the Arch-Bishop, and Ten other Bishops, Five Abbots, Two Priors, Eight Earls, Six Barons, all there named, and the Commons of the Realm assembled in the White Chamber, (*& les Commons du Roialme assemblez en la Chambre blanche, &c.*) in the presence of the King, having regard to the great Mischiefs and Dangers, which may come to the King, and all his Subjects and Allies, if the Malice of his Adversary was not stopt; and considering the great Charges, which the Great Men and the Commons of England, had been at, and suffered by reason of the War continuing so long, by false Truces, and Sufferances; and seeing openly, that an end of the War, or so good a Peace as ought to be, cannot be made without great force of Men, and great Power, they pray the King with one Assent, and every particular Person of the Great Men for himself (*se prirent touz dun assent, & chescune singulere persone de Grantz a par lui, &c.*) that he would make an end of the War, either by Battel, or by a convenient Peace, if it might be had.

And that when [1] the King should be ready to pass beyond Sea, to take what God should give him (*pur prendre ce que Dieu lui durra*) upon the Exploit of this Business, he would not for the Letters or Command of the Pope, or any other, lay aside his Voyage, until he had made an end one way or other. The which Prayer the King fully granted, (*a quele preere le Roi otroira pleynement*) but because it could not [2] be done without a great and agreeable Aid, the Arch-Bishop, Bishops, Prelates, and Procurators of the Clergy

[6] *Ibm.*

[7] *Ibm.*

[8] *Ibm.* n. 7.

[9] *Ibm.* n. 8.

The Parliament prays the King to make an end of the War by Battel or Peace,

[1] *Ibm.* n. 9. And not to lay aside his Voyage for the Pope's Letters.

Aid for this Voyage granted by the Clergy and Commons.

[3] *Ibm.* n. 10.

[4] *Walsf.* 164. n. 30.
Froiss. l. i. c. 100.
Ashmole, f. 182.

[5] *Avf.* p. 103. a. c. 48.
III news from Bretagne.

[6] *Rot. Franc.* 19 Ed III. Part 1. M. 24.
The King sent Defiance to Philip of Valois.

[7] *Rot. Rom.* 19 Ed III. M. 2. n. 4.
He wrote to the Pope complaining of him.

[8] *Cleopatra*, E. 2.
The Effect and Contents of K. Edward's Letter to the Pope.

Clergy of the Province of Canterbury, granted to the King a Triennial Tenth; (*& les ditz Commons le samaday apres grantement nostre Seigneur le Roi par mesme la cause deux Quinziesmes de la Communaulte de la Certe, & deux dismes des Cites & Burghs.*) And the said Commons granted to the King for the same cause Two Fifteenth of the Commonalty of the Land, and Two Tenths of the Cities and Burghs. And [3] after that the said Commons granted another Fifteenth; (*& apres le dite Commune grantent une autre quinzisme.*) See for the Conditions of these Grants, in the Statutes at large, 18 Ed. III. translated exactly from the French on this Roll, n. 14. to n. 23. which Statute was made from the Petitions of the Commons, and the Answers to them; and 'tis called in the totting on the Roll, the Charter of the Commons; (*la Charte enseale par la Commune*) and also for the Statute, or Charter for the Clergy, bearing Date July 8. in the 18th of his Reign, which gave them many Privileges, n. 24. to n. 32. In both these Statutes, which are now in a manner become obsolete, 'tis said, the Great Lay-men granted to pass and adventure themselves with the King, and therefore they are not found upon the Roll to be Taxed.

The residue of this Year was spent in [4] Tournaments, and other Military Exercises, at Dunstable, Smithfield, and especially at Windsor, in Feasting, Revellings, Dancing, and all manner of Jollity.

But it was not long after the beginning of the next Year, that King Edward [5] received news of what had been done in Bretagne; how the Noblemen, who adhered to him there, were put to death; and what havoc and depopulation had been made in those Places under his Subjection. Whereupon William de Bohun Earl of Northampton, had [6] Commission, Dated April 24. to defend Philip of Valois as a Truce-breaker, his capital Enemy, Persecutor, and unjust Usurper of his Inheritance the Kingdom of France. And, as what was done in Normandy and Bretagne against the Truce, had been declared to be so by the Parlement; so he wrote [7] to the Pope on the 26th of May following, almost the same thing; and made grievous Complaints to him of Philip de Valois having, in the highest manner, broken and dissolved the Truce. The effect of his Letter the Pope repeats in his Bull, or Answer to it (the Original being in the Cotton Library [8]) That for avoiding the Dangers and Damages that might arise, by reason of the Dissensions and Wars between Edward III. and the Illustrious King of France, as the Bull hath it, (*inter te, fili carissime, ac carissimum in Christo filium nostrum Philippum Regem Francie Illustrem*) he had offered many ways of Peace; that he might apply himself, as he much desired, to the Service of his Redeemer beyond Sea, but was always delayed with fair Words and Treaties without effect, to his great Damage. His second Complaint was (after a Narrative of the Truce made before Vannes) That when he returned into England, and had left a few Men only in Bretagne, and sent his Commissioners to treat before his Holiness about a Peace (as related before) he received news, which pierced his Soul, That certain Noblemen of Bretagne were, by Command of Philip, taken, carried to Paris, and put to death: And also of the great Ravage and Depopulation made in Bretagne, Gascoigne, and other Places.

Places. 3dly, That he endeavoured by crafty and secret Treaties to draw his Allies and Subjects from him, and procured other things to be attempted, against the Truce by Sea and Land: Therefore he thought it utterly dissolved by his Adversary. And now since the Time of Treaty was ended, and no rational way of Peace appearing, nor were the things attempted against the Truce reformed or amended, but rather multiplied, although by his Holiness's Letters the said King had been often required to reform them (not to say any thing of his Legate, that was sent into Bretagne to cause the Truce to be observed, yet took the contrary part, and blamed him that he did not what he ought toward an Accommodation) he thought himself excused by God, Holy Church, and the People; if seeing he could have no other Remedy in a just Cause, he declared the Truce dissolved by Philip, and defied him, as above, and renewed the War again, protesting he would attempt nothing that might offend his Holiness or the Apostolick See, which he desired and ought to revere; or that might do Injury to any one, but only with Moderation to defend himself, and prosecute his Rights; asserting what he did was for want of other Remedy, and against his Will, offering Peace when he might have a good one, or by good means (*cum habere poterit bono modo*).

The Pope's Answer to this Complaint, begins with a most obliging Compellation, calling God to Witness (*Fili dilectissime, novit* [9] *Altissimus, qui scrutator est cordium, & cognitor secretorum, &c.*) Most beloved Son, the Most High knows, who is the Searcher of Hearts, and understands all Secrets, that he had faithfully endeavoured to procure a Peace between him and the King of France without partiality, and would not yet spare any Pains for the effecting of it. And he tells him, That those who wrote his Letters, probably understood not the Truth of the Affair; for that there were some things put in them, and some things left out, which caused notable Errors. It was agreed by the Truce, That there should be some of the Royal Blood Commissioned to Treat on either side in his Presence; and though the King of France had sent several of the Royal Blood, and many Prelates of great Authority (as it had been agreed) with sufficient Power, and were very ready to Treat; yet he had sent none such; and therefore it ought to be considered, Whether he, the King of France, or himself, were in fault, that the Peace did not proceed as it ought to have done.

As to the taking and punishing of the [1] Noblemen, mentioned in his Letters, and that therefore the Truce was broken, the Pope says he had wrote to his Magnificence, and told his Commissioners, That the King of France, in answer to the invective Letters he had wrote to him upon that Subject, affirmed, That those Noblemen had manifestly violated the Truce, by committing Murders, by burning and wasting the Countries, and doing other horrid Wickednesses in Bretagne, where they were taken and punished according to Justice; (*quod illi nobiles violendo ipsas Treugas manifeste in partibus Britannie, ac homicidia, depopulationes, incendia, & alia horrenda maleficia committendo, ibidem flagrantibus injuriis, & aliis criminibus capiti propter premissa, & alia sua facinorosa scelera, & deinde puniti exigente justitia extiterunt.*) And that

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The Pope's Answer to K. Edward's Complaints. [9] *Ibm.*

He tells him he had not done according to the Truce.

[1] *Ibm.*

That the Noblemen put to death had broke the Truce, committed Murders, &c.

the same Noblemen asserted they were not in Confederacy with him, but with John of Bretagne Earl of Montfort, who had also denied when at Paris, that he had any Confederacy with him, that is King Edward.

[1] Ibm. Further, [2] That his Excellence could not but know, that as he had complained of things attempted against the Truce in Bretagne, Gascoign, and otherwhere, so the King of France had likewise complained of things done against the Form and Tenor of the Truce in the same places, and also upon the Sea, having exhibited divers Articles thereof: That therefore he had directed Letters to them both about this Matter; To which the King of France answered, he would inviolably observe the Truce, and cause whatever had been done against it to be revoked, provided he would do the like. Then having charged him by Letter with giving assistance to Charles of Bloys, taking upon him the Title of Duke of Bretagne, he wrote back often, That he never assisted him with Men or Money, or any other way; and the same thing John Duke of Normandy, his Eldest Son, constantly and frequently affirmed in his presence.

And that the King of France would inviolably keep the Peace, if he would do the same.

[3] Ibm. Charles of Bloys denies himself to be within the Truce.

* He is not named in the Truce, or amongst the Allies; yet 'tis said in the Truce, it was to be kept in Bretagne by both Kings and their Adherents.

[4] Ibm. The King of France complies fully with the Pope's Method propounded.

The King of England did not.

[5] Ibm. The Pope's Excuse for his Legate in Bretagne.

[6] Ibm. And says, that against the Tenor of the Truce he seized the City of Pannes.

And whereas [3] he had wrote effectually to Charles of Bloys, about the Observation of the Truce; he came to him, and in his presence, and in presence of the Cardinals that mediated the Truce, declared and affirmed, he never entered into the Truce, (*asseruit se nunquam truces aliquid inivisse, nec fuerat super hoc requisitus*) nor was ever required, or asked to do it; and that by the Words * of the Truce he could no ways be comprehended in it, of which he seriously gave notice to his Commissioners before their departure from his Court.

At which time [4] he thought it most expedient to avoid Scandal, and for other causes, to consider the Complaints made on both sides, which were long, many, and intricate, according to a Method to be propounded, and consented to by both Parties, concerning the Revocation of what had been done against the Truce, with which he had acquainted his Commissioners, and to the same purpose wrote to them both. The King of France returned his Letters of Consent according to his Proposition, sealed with his Seal, readily and freely, without any limitation of time; but he prefixed so short a time, as nothing could be undertaken in that Business.

Then [5] to what he said concerning his Legat sent into Bretagne to cause the Truce to be observed, hearing what had been attempted against it; he, as it had been often related to him, as much as he could with Justice, and as he found Compliance, was more favourable to his Cause than the other, as Charles of Bloys by Letters and Messengers grievously complained to him. But whether his Legat did any thing unjust or injurious, he knew not; however upon the first Complaint of his Friends he recalled him, who at his return excused himself; and if he could be informed truly of any such Practice, he should correct him for it.

After these [6] Answers, he put him in mind, That against the Tenor of the Truce he had seized upon the City of Vannes, and expelled those, who were to keep it by direction of the Cardinals, and Mediators, in the Name of him, and the Roman Church, during the Truce; who were to dispose of it afterwards as they pleased; Of which he said nothing in his Letters.

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At last [7] in a long, tedious Discourse, telling him how God had fitted him with many Endowments to prosecute his Business against the Enemies of the Christian Faith, (*ad proseguendum Dei negotium adversus hostes fidei Christiane*) he earnestly persuades him to undertake the Holy War; and to think diligently, Whether to himself, or to the King of France, the Violation of the Truce ought to be imputed: Withall requesting, and exhorting him in the Lord, (*rogamus itaque Celsitudinem tuam regiam, & in Domino attentius exhortantes, tibi sub virtute juramenti prestiti super eisdem trengis injungentes, &c.*) enjoining him by virtue of the Oath he made, to observe the Truce, to restore the City of Vannes into the hands of the Cardinals, in the same Condition it was when he expelled those they appointed to keep it, in the Name of him and the Church, during the whole time of the Truce, as therein expressed; and to return to the observation of the Truce, which was until Michaelmas then next coming, and a year afterwards; and to omit his Warlike Preparations and Insults, promising to prevail with the King of France to do the like.

And then [8] he concludes with Prayers and Exhortations by the Mercy of God, to return to the Treaty of Peace, and to send knowing Commissioners, with Inclination towards, and full Power to Treat of it; and promises, That having God only before his Eyes, he will promote it without partiality, to the praise of God, the honour and profit of both parts, and would induce the King of France to do the same. The day of the Date and Month of this Bull are not legible, but the year is, being the Fourth of his Pontificate, which was the 19th of Edward III.

Yet this he thought not sufficient to make his Case known to the World; but, first declaring his Title to the Crown of France, (the same as when he first claimed it) he drew up, what he had wrote to the Pope, into a Manifesto, and publish it with this Title, [9] (*Rex omnibus ad quod presentes haec litera pervenerint salutem, &c.*) 'The King, to all Men to whom these Letters, or this Manifesto, or Declaration shall come, Greeting, &c. Which were dated at Westminster the 14th of June, in the 19th year of his Reign over England, and over France the Sixth. Date [1] apud Westmonasterium 14 die Junii Anno Regni nostri Anglie decimo nono, regni vero Francie sexto.

About Michaelmas following [2], King Edward sent Henry Earl of Derby, Son of Henry Earl of Lancaster, with the Earl of Pembroke, and Sir Walter Manny, into Gascony with a considerable Force, where he took the strong Town Bruggierac at the first assault, and forty six other Towns great and small, which Philip de Valois had injuriously taken, and detained from the King of England; the last of which was the Town and Castle of Auberche. After which the Earl of Derby, with the Earl of Pembroke, and Sir Walter Manny, retired to Burdeaux; upon notice whereof the Earl of Laille, King Philip's Lieutenant in Gascony, brought together a great Force, and besieged Auberche; To the Relief whereof the Earl of Derby coming, he obtained a great Victory, and took many Noblemen and great Officers.

After Easter [3] next year, John Duke of Normandy, Son and Heir to Philip of Valois, besieged the Town of Aguilon in Guien, in which was a strong Garrison placed by the Earl of Derby, and

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[7] Ibm. The Pope desires him to think seriously, whether he or the King of France had violated the Truce.

And chargeth him upon his Oath to restore the City of Vannes.

[8] Ibm. He Exhorts him to return to the Treaty of Peace.

And promiseth him utmost Assistance.

King Edward again declares his Title to France.

[9] Aversbury, p. 103. a. c. 48.

And put forth a Manifesto.

[1] Ib. p. 104. b.

[2] Ib. & Du Chesne, l. 661, 662.

He sends an Army into Gascony, and takes 47 Towns great and small.

[3] Aversbury, p. 105. a. c. 50. Du Chesne, f. 663. D. A. D. 1346. 20. E. III.

King Edward, the Prince of Wales, and many Noblemen.

[4] *Ib. Du Chesne & Avesbury.* Land with an Army in Normandy.

[5] *Ib. p. 105. a. c. 51.*

[6] *Ibm.* What he did there after his Landing.

[7] *Ib. in the same Journal.* On whether not Rothmaste? How he burnt and destroyed the Country.

well provided; For the relieving of this place, and to reinforce the Earl of Derby, King Edward raised an Army, and in Person, with the Prince of Wales, then Seventeen years of Age, and many of the Nobility, intended to pass into Guien; but the Wind being cross, and the Weather stormy, he was persuaded [4] by Geoffrey of Harcourt (an Outlaw and Exile of France, Lord of St. Seviers, the Viscount in Constantin in Normandy, and one of his Marshals) to land in Normandy, and he did so on the 12th of July, being Thursday, land at La Hogue. What he did after his landing, and in his march toward Caen, and of his taking of that City, and other things, Avesbury [5] hath delivered in a Transcript of the Journal of Michael de Northburg, an able Clerk, and one of King Edward's Counsellors, who went, and was with him all the while.

Where he landed, [6] for the unshipping of his Horse, and refreshing of himself and Army, and baking of Bread, he stay'd six days. While he stayed there, a Party went off to Barfleur, and burnt the Ships in that Harbour, Eight of which had Castles before and behind, (*des queux huit avoient chasciel devant, & derere.*) After the Party left the Town, the Mariners burnt it. The first of the King's March was to Valognes, where he stay'd only one night, and found sufficient Refreshment. From thence he march'd to Carenten, where were found plenty of Wine and Victuals: Much of this Town was burnt, notwithstanding the King did what he could to preserve it. From hence he march'd to St. Lo, where the People with some Soldiers seem'd to make resistance; in this place he found a thousand Tun of Wine, besides great store of other Goods. Next night he lodged in an Abby, and his Army was quartered about him in Field Villages, (*& son host as villes champêtres entour luy*) which in Parties made inroads into the Country, robbing and destroying five or six miles about every day, and burning Towns in many places, (*& chivacherent les gentz del host robbantz & destruantz cinque od sis lieux, environ toutz les jours, & arderent en plusors lieux.*) Three or four days after his removal from this Abby, he came before Caen; in which were the Constable of France, and the Chamberlain of Tanquerville, with a great Force for its defence. The King took it by assault with a great slaughter of Knights, Esquires, and other People; and made Prisoners the Constable and Chamberlain, with 500 Knights, and Six or seven score Squires. In the Town were found Wine, Victuals, and other Goods and Chattels without number (*& furent trouvez en la ville vines, victualles, & autres biens & chateaux sanz nombre.*)

When the King removed from Hogen, [7] there were about 200 Ships stay'd there, which failed to Rothmaste, and went on Shore, and burnt the Country two or three Leagues (*lieues*) within the Land, and took much Goods, and brought them to their Ships: From whence they went to Cherbourg, a good Town, where was a strong Castle and noble Abby, all which were burnt, as were all things and Towns upon the Sea Coasts from Rothmaste to Hostrem upon the Haven of Caen, about Six score English miles. There were then also burnt Sixty one Ships of War, with fore-Castle and hind-Castle, (*count ars 61 nefs de guerre od chasciel devant & derere*) with 23 Cayers and other small Vessels of about 30 Tuns.

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From Caen he marched to Poissy upon [8] the River Segni, where he repaired the Bridge that was broken down, and passed the River on the morrow of the Assumption of the Virgin Mary, or 16th of August, after he had defeated several great and strong Parties, who came to hinder his passage, and killed many of them. The Bridges were every where broken down, and guard-ed to hinder his passage, so that he could not march very fast; and therefore he had time to plunder and ravage the Country, to burn most of the good Towns and Villages he past thro, or came near, as may be seen in Froissard [9] and Du Chesne. [1] At length he came to the River Swan in Pontbiew and Picardy, which he passed at a Ford called Blanchetaque, between Abbeville and the Sea, [2] where was placed an Army to oppose him, which he routed, killed 2000, and took a great number of Knights and Esquires; the rest fled to Abbeville. From hence King Edward march'd leisurely toward [3] Cressy in Pontbiew, his Army burning and harassing the Country, where the King of France joined Battel with him on Saturday the 26th of August; [4] The Victory was obtained by the English. There were slain on the French side [5] the King of Bohemia, the Duke of Lorraine, the Earls of Alanson, Flanders, Lewis of Blois, the Earl of Harecourt, Geoffrey of Harecourt's Elder Brother, and his Two Sons; the Earls of Albemarle and Savoy, the Archbishop of Nismes, and Bishop of Sens, six German Earls, and many other Earls, Barons, and Lords. The [6] English Army was ranged in Three Battles; the Prince of Wales headed the first, the Earl of Northampton the second, and the King himself the third. [7] The King of France fled only with five Barons, Sir John of Haynault, who had left King Edward's Service, Sir Charles of Montmorancy, the Lord of Beaujeu, the Lord Daubery, and the Lord Montfort, to Bray Castle, and so to Amiens. On Sunday morning came several [8] Reinforcements, and great Bodies of Frenchmen to their King's Army, as they thought, not knowing what had been done, who were all routed, many taken, and great numbers slain. That day in the afternoon King Edward sent to have the dead view'd, and numbered [9] by Two Barons and Three Heralds; At their return to the King they gave him an account of Eleven great Princes, Four score Banners, ('tis Froissard's Word) Twelve hundred Knights, and more than Thirty thousand Ordinary Men. From Cressy the King march'd to [1] Calais, and laid Siege to it on the Third of September.

Upon his last passage into France [2] the King, and Lords that accompanied him, and also the Great Men of his Council that were in England, agreed and ordered there should be a Parliament summon'd to meet at Westminster on the Monday next after the Nativity of the Virgin Mary. [3] To this Parliament the King sent from the Siege of Calais, Bartholomew Burghersse, John Darcy his Chamberlain, Mr. John de Thoresby Keeper of his Privy Seal, and John de Carleton, to inform them of the State of his Affairs, and to propound and declare some things to them in that Parliament, that concern'd the Honour of God and the Church, the Defence and Quiet of the Kingdom of England, and his War in France, and also other things that were to be done. These Letters of Credence, or this Commission, [4] was dated before Calais on the

[8] *Avesbury.* p. 100. c. 54.

[9] *L. i. c. 122, 123, 124, 125, 126.*

[1] *Ib. F. 664, 665.*

[2] *Avesbury.* p. 100. a. c. 54. The Battel of Cressy.

[3] *Ibm.*

[4] *Waltington.* F. 166. n. 30.

[5] *Avesbury.* at supra: What Great Men were slain.

[6] *Froissard.* L. i. c. 130.

[7] *Ibm.*

[8] *Ib. c. 31.* The number of the slain.

[9] *Ib. c. 32.* In that Battel.

[1] *Avesbury.* F. 109. b. c. 55. A Parliament called.

[2] *Rot. Parl.* 20 E. III. n. 6.

[3] *Ibm.* The King sends to inform the Parliament of his success and progress in France.

[4] *Ibm.*

7th

7th of September; and directed to the Arch-Bishops, Bishops, Abbots, Priors, Earls, Barons, and other his faithful Subjects in Parliament; (& aliis fidelibus suis in Parlamento suo, &c.) which when read, Bartholomew Burghess for himself and Companions (*pur lui & pur ses compaignons*) in presence of the Guardian of England, (Leonell the King's Son) the Prelates, and other Great Men there named, [5] shewed the Graces God had given to the King, to the Great Men, and others with him, after their landing at La Hogue, (*monstra les graces que Dieu avoit donnez a nostre Sir le Roi, &c.*) by a short Account of his Progress and Success in Normandy, the Battle of Cressy, and his besieging of Calais, from whence he resolved not to depart, until he had taken the Town; and that then he would draw toward his Adversary, pursue his Quarrel, and not return into England, until he had ended the War beyond Sea, with the help of God. [6] For the accomplishment of which things, the said Messengers (*a queu chose pour faire les ditz messages prierent, &c.*) prayed the Prelats, Great Men, and Commons, that they would Treat and Advise about an Aid, and Means to perfect that which had been so graciously begun; for that by common assent in Parliament, at the time when the King [7] undertook this War, they all promised that they would assist him with their Bodies and Goods to their power, (*tous lui promistrent, qils lui aideroient de corps & d'avoir a leur poair.*)

At the same time they produced an Ordinance [8] or Agreement made by the King's Adversary, and some Great Men of France and Normandy, to destroy the whole Nation of England, and the English Language: And to put this Design in Execution, the Earl of Eu then Constable of France, and the Chamberlain of Tankerville, were to raise a great Army for that purpose; but, as it pleased God, they were both taken at Caen, and many of their Men there killed and taken, so as the intended destruction of the English was defeated.

This Ordinance is [9] enter'd upon the Parliament Roll, and there in the Todding called, (*L'Ordinance de Normandie*) The Ordinance of Normandy; 'Tis pretty long, but the most Material things were, That the King of France his Eldest Son, John Duke of Normandy, as General, with the Nobles, and others of that Dukedom, should pass into England with Four thousand Men at Arms, Knights, Esquires, and Men of good Estate, and Forty thousand Foot. And if this Invasion could not be made that year, then it was to be the next year, and so in any other year at a convenient time, during the War. Or if this Invasion should not be made, the Country of Normandy was to serve him with the same number of Men at Arms, and Twenty thousand Foot, in any other place, where the King, Duke, or either of them should be in Person.

It was [1] also agreed, That if by God's assistance England were Conquered, the Conquest should be made in the Name and Honour of the Duke; and that all that the King of England enjoy'd should be his, as King and Lord, with all his Rights and Honours: And what the Nobles, Barons, and other Seculars possessed, was to be enjoy'd by the Church, Barons, Nobles, and Noble Towns of Normandy, (*que les Nobles & les Barons & autres Seculars y ont, terra & demorra as Eglises, as Barons, Nobles, & as Noble villes de Normandie;*) That the Pope and Church of Rome should

[5] Ib. n. 7.

[6] Ib. And to desire an Aid.

[7] Ib.

[8] Ib. The Ordinance of Normandy produced in Parliament.

[9] Ib. n. 8.

What it was.

The design to invade and conquer England.

[1] Ib. How England was to be divided in case of Conquest.

should safely enjoy what they had without diminution; and that whatever had been taken from the Scots by War, or otherwise, should be restored fully and entirely without delay. [2] This Ordinance was Dated at Boys de Vincens the 23d Day of March, 1338. and, says Avesbury, [3] it was found in Caen, when it was taken and delivered to the Arch-Bishop of Canterbury, that he might excite the Clergy and Laity (*ut per hoc excitaret clerum & populum*) to pray more willingly for Peace and the King.

After these things had been declared and expounded [4] in Parlement, they all thanked God for the Success he had given the King against his Adversary; and said, That whatever had been given him, had been well employed, and that they would further Aid him according to their Power. The Knights, Citizens, and Burgeses desired time to consider of the Aid until Thursday next following, when they granted him Two Fifteenths, making grievous Complaints of Oppressions and Poverty in the Grant; [5] praying the King to think how they had been annually charged with Tallages, as Fifteenths, Wooll, Ninths, Men at Arms, Hobelors, Archers, Victuals, Guard of the Sea-Coasts, and many other Taxes, by which they were almost ruined. And also in the last Parlement, when they granted Two Fifteenths for the ending of the War, it was granted and certainly promised to them (*grantes leur fust, & certainement promis en le dit Parlement*) they should not be charged or grieved with Payments or Tallages: Wherefore, it seemed to them reasonable they ought now to be discharged and excused. And notwithstanding these Grants and Promises, there daily issued Commissions to Array, in all Parts of England, Men at Arms, Hobelors, and Archers, according to the Value of their Lands, or to make Composition therefore. They likewise complained of Purveyance and Free Quarter; and of the Custum and Subsidy of Forty Shillings the Sack upon Wooll. [6]

Which Grievances, Hardships, and Oppressions (*les queux Grievances, Duretees, & Oppressions*) were done and suffered every day, without Assent or Grant in Parlement (*sans Assent ou Grant en Parlement*) expressly against * Record. Yet notwithstanding these Oppressions and Grievances, the Commons, to the utmost of their Abilities, granted Two Fifteenths for the final Accomplishment of the War, by Gods Help, and Destruction of his Enemies, to be levied in two Years, of Cities, Burghs, and ancient Demeasns, as also of the Commons of the Countie, so as [7] their Petitions upon these Grievances, and others, might be recited on the morrow in Parlement, and have speedy and good Remedy ordered (*& sur ce hastive & bon remede ordeigner*) for the Common Profit of the Land, according as the King's Four Commissioners, or Messengers, had granted on his behalf to the Commons:

The first Petition of the Commons was, [8] That the Ordinances, Promises, and Grants made in Parlement, for the future might be observed, for the Ease of the Commons, against the great Charges and Hardships they had felt and suffered. Also, That Commissions might not be issued out of Chancery, to charge the People with the Array of Men at Arms, Hobelors, Archers, or Victuals, without Assent or Grant in Parlement; and if any

[2] Ib.

[3] p. 107. c. 53.

[4] Rat. Parl. ut supra.

An Aid granted.

[5] Ib. n. 11. The Commons Complaints and Grievances.

[6] Ib.

* See Rat. Parl. 14 Ed. III. Part 1. n. 8.9. Palms's Stat. 14 Ed. III. c. 1.

[7] Ib.

[8] The Commons Petitions, n. 10.

[9] *Ibm.* Re.
The King's
Answer to the
Commons
Petitions.

[1] *Ibm.*

[2] Commons
Petitions, n.
18.

[3] *Ibm.*
The King's
Answer.

[4] *Ans.* p.
110. c. 56.
The Earl of
Derby's Suc-
cess in Gascony.

[5] *Ib.* p. 111.
a. c. 57.
The Scots in-
vade England
with a great
Army.

The Battel of
Nevill's Cross.

David King
of Scots taken
Prisoner.

any such were, the People should neither be charged with, nor bound to obey them.

The Answer was, as to the first Point, [9] That it should be as they desired. As to the second, it was notorious, that the Great Men and Commons (*les Grantz & Commes*) in many Parlements had promised the King to assist him to their utmost in Body and Goods (*en corps & avoir e quant qils point*) in his Quarrel with France, and for the Defence and Safety of England: Wherefore the Great Men, [1] *pur quoi les ditz Grantz veantz la necessite nostre Seigneur le Roi* seeing his Necessity to be supplied with such Men before his Passage, to recover his Rights beyond Sea, and for the Defence of England, had ordered, That those who had an Hundred Shillings a year Rent on this side Trent, should find Men at Arms, Hobelors, and Archers, according to the quantity of their Estate and Tenure, to go with the King at his Wages: or if they would not go in Person, to find others; or if not that, to pay the King what he could procure Men for: And so things were, and had been done, and no otherwise. And the King would not, that what was done in this Necessity, should be made an Example for the future, as appeared by his Letters Patents.

Another Petition of the Commons, [2] was, That the Forty Shillings a Sack upon Wooll, might not be collected, but only the old Custom paid.

To this the Answer [3] was, That the Prelates, and others, seeing the King's Necessity, before his Passage beyond Sea to recover his Rights, and defend his own Nation, agreed by Consent of the Merchants, he should have the Subsidy of Forty Shillings on every Sack of Wooll that passed beyond Sea, for two Years; and that several Merchants had advanced Money upon that Grant to the King, for the carrying on the War: And therefore it could not be annulled, without the Assent of the King and his said Great Men (*& de ses ditz Grantz.*)

While King Edward was doing these great things in France, and was before Calais, there came an account from the Earl of Derby in Gascony, That the Duke [4] of Normandy, and the French, had in great haste raised the Siege of Aguilon, on Sunday before St. Bartholomew; and went off in such haste, as they left their Tents and most of their Baggage behind them: That he had taken many Towns and Castles of Force and Value in that Country, and put it into good Order, and then marched into Poitou, took Poitiers, and settled that Country, and thence came back to Burdeaux, from whence he came to England, and was at London on the Feast of St. Hillary, or 13th of January.

The Success against the Scots was likewise considerable this Year. [5] David their King being excited by Philip of Valois, invaded England with a great Army, and marched as far as Durham, near which place the Arch-Bishop of York, Henry Piercy, Ralph Nevill, and other Great Men of the Northern Parts, with such an Army as they had then raised, met him, and gave the Scots Battel on St. Luke's Eve, or 17th of October, at Nevill's Cross near Durham; where they obtained a very memorable Victory, killing the Earls of Moray and Strathern, and the Flower of the Scots Militia and Men at Arms; taking King David, the Earls of

A

B

C

D

E

F

Fife

Fife and Monteth, Malcom Fleming, that called himself Earl of Wigetown, and William Douglas, Prisoners, and many Men at Arms. By Warrant directed to Thomas Rokeby [6] Sheriff of Yorkshire, Dated Decemb. 20. who then had the King of Scots in his keeping, he was commanded to carry David de Bruys (that had with Force of Arms invaded England, plundered and burnt the Country, killed the King's Subjects, and done other Mischiefs) to the Tower of London, and deliver him to the Constable thereof, or his Lieutenant, there to remain in safe Custody. [7] The Earls of Monteth and Fife were condemned for Treason; the first whereof was executed about the beginning of March, in the 21st of Edward III. and the second reprieved during the King's Pleasure.

The Pope wrote [8] to King Edward from Avignon, on the 18th of the Calends of February, or 15th of January, with great Urgency and Vehemency to consent to a Treaty of Peace, and sent Ambald Bishop of Tusculum, and Stephan by the Title of St. John, and St. Paul a Priest Cardinal, with his Letter, to be his Nuncio's, to treat of, and mediate a Peace.

The King's [9] Answer to this Letter, or Bull, was to this effect: That he was very willing to consent to a Treaty of Truce, or Peace, as he always had been, for the Benefit of Christianity; but his Adversary had always broken the Truces that had been made, and kept his true Heritage from him; which if he did not yield up, there could be no Treaty.

While the King lay before Calais, Charles [1] of Blois, who had taken upon him the Title of Duke of Bretagne, besieged the Town and Castle of Rochedorian, a strong Place in this Country; for the Relief whereof, Sir Thomas Dagworth, King Edward's Governour of that Dukedom, raised what Force he could there, and in Normandy, and marched toward the Siege: Of which Charles of Blois had notice, and stood all Night with his Army ready to receive him. Next morning, which was the 20th of June, before Sunrise both Armies were engaged; and Sir Thomas received the Charge of the French four times successively, and afterward put them into Confusion, and obtained the Field, having slain between 6 and 700 Knights, Esquires, and Men at Arms, besides ordinary Men; and then made Prisoner Charles de Blois, with several Great Men there named, and a great number of other Knights and Esquires; (*& autres Chevaliers, & Esquiers a grant nombre.*) This Account [2] is from Sir Thomas Dagworth's Letter to the Chancellor of England.

About a Month or five Weeks after, the King of France had a Letter from the Governour of Calais [3] of the ill Condition the Town was in for want of Victuals; That the Dogs, Cats, and Horses were most eaten; That the Garrison had agreed, if they had not speedy Relief, to issue out of the Town, and go into the Field to fight for their Lives, or die bravely, as being more Honourable than to eat one another.

On the Friday [4] or 27th of July, before the Gule or first Day of August, it being that Year on the Wednesday, the King of France on an Hill on the other side of the Marsh before Calais, over against King Edward, lodged or posted his Army, which was very great, as by what follows in his Letter to the Arch-Bp. of Canterbury,

H h

to

[6] *Ret. Scot.*
20 Ed. III. M.
2. A.D. 1346.

Sent to the
Tower of Land.

[7] *Ib.* 21 Ed.
III. M. 9. Derf.
A.D. 1346.

[8] *Ans.* p. 111.
a. c. 58.
The Pope
sent to K. Edw.
to consent to
a Treaty of
Peace.

[9] *Ib.* b. c. 59.
To which he
would not a-
gree, unless
his Heritage
was yielded
to him.

[1] *Ib.* p. 114.
a. b. cap. 64,
65.
Charles of
Blois enters
Bretagne with
the Title of
Duke.

A.D. 1347.
21 Ed. III.
His Army
beaten, and
himself made
Prisoner.

[2] *Ibm.*

[3] *Ibm.* p. 113.
b. 114. a. cap.
63.
Calais in great
distress for
want of Vi-
ctuals.

[4] *Ibm.* b. 115.
a. b. cap. 66,
67.

[5] *Ibm.*
The King of
France comes
with a great
Army to re-
lieve it.
Two Cardi-
nals mediate
a Treaty.

Which held 3
days without
effect.

* *Of moment.*

The King of
France chal-
lengeth the
King of Eng-
land to Battle,
and then runs
away with
his Army.
[6] *Ibm.*

[7] *Ibm.*
Calais yield-
ed.
[8] *Ib. p. 116.*
a. cap. 68.
A D. 1347.
21 Ed. III.

Hard Terms
put upon the
Calaisians by
K. Edward,
according to
the French
Historians.

[9] The same
Historians.

to his Chancellor, and Treasurer. [5] The Cardinals the same Day came to the end of the Causeway leading to Calais (*vingrent mesme le jour les Cardinaux a bout de la chauce, &c.*) and send their Letters to his Cousin of Lancaster, and other Great Men of his Army, requesting they might speak with them. Whereupon he gave Leave to him, and his Cousin of Northampton, to go to them; who were with great earnestness requested by them that there might be a Treaty, telling them they knew well the French King would make such Offers of Peace, as would according to Reason be acceptable. At their instance, as one that had always been ready to accept of a reasonable Peace, and at the moment they made the Offer, he assented: And his Cousin of Lancaster built two Pavilions, or Tents, between both Armies; and there assembled, or met, before the Cardinals and Marquess of Juliers, the Earls of Lancaster and Northampton, Monsieur Bartholomew de Burghersh his Chamberlain, Monsieur Reignald de Cobham, and Monsieur Walter de Manny, on his Part; The Dukes of Bourbon and Bathenes, the Chancellor of France, the Lord Oshmond, and Monsieur Geofry de Charny, on the Part of his Adversary, who only insisted upon Terms about the Town of Calais; yet at last offered his Commissioners, That he should enjoy the Dukedom of Guyen, and County of Pontbieu, as his Grandfather had done; which was thought a small matter to what Damage he had received. So that after Three Days Treaty without effect, on Tuesday the last Day of July, toward Evening his Adversaries gave him notice, by some Great Men, That if he would come out of his Fastness, to a Place convenient to Fight in, to be set out by Four Knights chosen on either side, he would give him Battle any time between that and Friday Evening. On the next Day, being Wednesday, [6] and the first of August, he let him know he accepted his Offer, and gave Letters of safe Conduct to Four Knights, to come and join with Four of his, to set out the Ground. Whereupon his Adversary [7] on Thursday night, with his Army, in great haste marched off, as if they had been routed, and burnt their Tents, and most part of their Baggage. [8] The next Day, which was the 3d of August, the Besieged wanting Victuals, and despairing of Relief, yielded up the Town, and themselves and all their Goods, to his Mercy and Pleasure.

But King Edward being much enraged at the Inhabitants long holding out, and the great and many Injuries they had done him at Sea, did not admit them to these Terms, as the French Historians Froyssard, Du Chesne, de Serres, and Mezeray report, until they sent Six of their Chief Burgeesses, bare-headed and bare-footed in their Shirts, with Ropes about their Necks, to deliver the Keys of the Town and Castle to him, with a total Submission to his Pleasure. He was greatly resolved to put them to death; but his Queen then in the Camp, by an importune Intercession, obtained their Lives. 'Tis very remarkable, That, as the same Historians say, at a Meeting of the Townsmen to appoint or chuse the Six to send out, they were in great Difficulties and Perplexity: Eustace of St. Peter, the most Noted of them, to save his Fellow-Burgeesses, offered himself to be one; by whose Example there soon followed others to make up the Number. [9] The Keys thus delivered, and the King in possession of the Town, all the old Inhabitants

were

were removed by his Authority, and it was new Peopled with English, to whom he gave all their Goods. [1] Robert of Avesbury hath nothing of this Relation of the Six Burghers being demanded, or thus sent out; he only says, That the Besieged wanting Victuals, and hopeless of Relief (*ipsum villam, ac se & sua omnia voluntati Domini Regis Anglia reddiderunt, & idem Dominus Rex semper misericors, & benignus, capitis & retentis paucis de Majoribus, Communitatem dictæ ville cum bonis suis omnibus gratiose permittit abire*) rendred the Town, themselves, and all they had to the King's Will, who, always merciful and kind, retained only a few of the Chief Persons, and graciously permitted the Community of the Town to go away with their Goods.

Soon after the taking of [2] Calais, by the Mediation of the Cardinals, the Earls of Lancaster and Huntington, Ralph Lord Stafford, Walter de Manny, and others, had Commission to Treat of a Truce with the Commissioners of Philip de Valois, which was concluded, affirmed, and sworn to, on the 28th of September, 1347, to continue till 15 Days after Midsummer next following. [3] The Chief of the Articles were the same with the Truce made before Tournay. In a very short time after, having settled the Town, with his Affairs in those Parts, making Sir Amery de Pavy, an Italian, Governour thereof, [4] he returned into England with great Glory and Renown.

The Number of King Edward's Army at this time in France, Normandy, and before Calais, besides the Lords [5] was 31294. And the whole Pay and Wages of this Number, from the 4th of June in the 20th Year of his Reign, to the 12th of October in the 21st of his Reign, being a Year and 131 Days, amounted to 127201 l. s. 9 d. ob. as appears by the Particulars.

Within 5 or 6 Weeks after his Return, on the 13th of November, he sent forth [6] Writs of Summons for a Parliament to meet on the morrow of St. Hillary, or 14th of January.

The cause [7] of Summons by William de Thorp Lord Chief Justice, was declared to be for two things: First, concerning the War with France, undertaken by Consent of the Lords and Commons. The Second, how the Peace of the Nation might be kept: And that within four Days, they should give their Answer to the King and his Council, what they thought of these things.

The fourth Day the Commons declare, [8] That they are not able to advise any thing concerning War; and therefore desired to be excused as to that, and that the King will be advised by his Nobles and Council; and what shall be by them Determined, they would Consent unto, Confirm, and Establish.

To the second they answer, [9] Whereas they were charged to advise the King, how the Peace of the Land might be better kept, That in every County there should be Six Persons, of whom Two to be the Greatest of the County, Two Knights, and Two Men of the Law, or more or less, as need should be; and they to have Power and Commission out of the Chancery, to hear and determine Matters concerning the Peace, &c. And then because they had been so long in Parliament, to their great Costs and Mischief; they desire the Answer to their Petitions, and a Dismissal.

H h 2

'Tis

[1] p. 115. a. c. 8.
Avesbury reports none of those Terms; but gives a more fair account of the Usage of them.

[2] Rot. Calais. 22 Ed. III. M. 4.

A Truce made at Calais.

[3] Aves. p. 116. b. 117. a. c. 69, 70.

[4] Wals. l. 167. n. 50.
K. Edm. returns into England.

[5] Append. n. 92.
The number of his Army. What their Pay for a year and 21 weeks.

[6] Claus. 21 Ed. III. Part 2. M. 9. Durs.
Summons for a Parliament.
[7] Rot. Parl. n. 4.
The cause of Summons.

[8] *Ibm.* n. 5.
The Commons are able to advise any thing concerning the War.

[9] *Ibm.* n. 70.
The Commons Advice to the King about keeping the Peace. Having been long in Parliament, they desire to be dismissed.

Summons to
Parliament.

[1] *Ret. Claus.*
22 Ed. III.
Part I. M. 32.
Dors.

[2] *Ret. Parl.*
22 Ed. III. n. 2,
3.
The cause of
Summons de-
clared.

'Tis probable the King received not the Satisfaction he expected from this Parliament; for within a Month and 3 Days after the firstday of the Meeting thereof, he issued [1] Writs for Summoning another (that is to say, on the 14th of February) to meet on Monday next after the Sunday in Midlent: On which Day, because the Great Men Summoned were not fully come, the Parlement was continued until the next Day, and for the same reason unto Wednesday: (*Pur ceo que les Grantz gestoient somons ne furent pas pleynement venus fu continuez tanque le Mardy prochain saant & poi, pur mesme la cause du dis Mardy tanque a Meskerdy.*) When Monseigneur [2] William de Thorp Chief Justice, propounded the Causes of Summons (fully also contained in the Writ) which were two: The first, That according to the Truce made at Calais, between the King and his Adversary of France, certain Messengers were to be sent to the Court of Rome, on both Parts, to treat of a final Peace between them; That King Edward had sent his competent Messengers to find the Disposition of the Pope concerning some Preparatories for the Treaty and other things, about the Feast of St. Andrew last past, in hopes to have heard from them in his last Parliament; of whom, or of what they had done, he had then received no certainty; and for that many notable things had been agreed last Truce in favour of him, his Subjects and Allies, by the Malice of the adverse Party, were not then accomplished. And also for that his said Adversary, contrary to his Faith given, concerning the then hoped-for Peace, had provided a very great Multitude (*Trop grant multitude des Gentz d'Armes*) of Men at Arms, and others, with Ships and Gallies of greater Force than at that time had ever been heard of, (*que cea en arere ad este oi*) to invade England, destroy the Nation, the King and his Subjects, as it manifestly appeared by what he had shewn and did shew every day. The other cause was to know how and in what manner the Peace of the Land might be best kept; and then the Commons were commanded to treat together, and take good Advice how the Malice of the King's Adversary might be resisted; and for the Safety of himself and Kingdom how he might be Aided, to his greatest Profit, and the least Charge to his People. The Commons having advised together, gave the Answer following.

To their most Honourable and most redoubted Liege Lord, his poor Commons [3] shew, (A lour tres Honorable & tres Redoutez Seigneur Liege, monstre sa pour Commune) That at his last Parlement he sent the Noble Earls of Lancaster and Northampton (& autres Grantz) and other Great Men, to tell them, That he intended not to take any thing of, or charge them, which they had published to the whole Land, for which they had also thanked him, according to their Knowledge, as much as they could, and prayed for him Night and Day (& prient pur lui nuyt & jour) and yet at this present Parlement, upon News now come (*pur noveles que sont venues*), he demanded a very great Charge of his poor Commons (un trop grant Charge da sa povre Commune.) They desire his Nobleness and most High Lordship, he would please to understand the Mischief and Burthens of the Commons: That is to say, the reasonable Aid which had been pardoned in his 14th Year; (that is, a Grant was made it should not be paid all his Reign) to wit, 40 s. upon every Knight's Fee to make

The Commons Grievances and Complaints.

his Eldest Son Knight; whereas by Statute there was but 20 s. due upon every Fee: Fifteenths of the Commons, Tenths of Cities and Burghs, Men at Arms, Hobelors, Archers, taking of Victuals without paying for them, Guarding the Sea, and also the Subsidy of Wooll; by reason whereof, every Sack of Wooll, that was the Treasure of the Land, was sold for 40 s. less than its Value. So as it would be a great Trouble to the Commons to bear any Charge. Yet nevertheless, so as the Aid now to be granted might not be turned into Wooll, neither by way of Loan or Value, or in any other manner; nor levied too hastily, but in the Form it was to be granted; and that the Eyres of Justices in the mean time might cease, as well of the Forest as of Common Pleas and General Enquiry in the whole Land, if this Aid should be levied: That no Subsidy upon Wooll for the future may be granted by the Merchants: That no Imposition, Loan, or other Tollage, or Charge whatsoever, shall be put upon them by the Privy Council, without their Grant and Consent in Parlement: That Two Prelates, Two Lords, and Two Justices, might be assigned to hear and dispatch their Petitions, which were not answered in the last Parlement; and that their Petitions in this Parlement might also be answered according to Reason; and the Answers to remain in force, without being changed or altered: That the Justices do enquire of False Money, which destroys the People: That David Bruys, William Douglass, and other Chieftains of Scotland, may in no manner be released, neither by Ransom, nor upon their Faith: That he would restore the 20000 Sacks of Wooll taken of the Commons by way of Loan: That an Aid to Marry his Daughter might not be taken the mean time; and, That there might be no Marshality in England, except that of the King, or the Guardian of England, when he was out of the Kingdom. Upon these Conditions, and otherwise not; (sur cestes Conditions, & autrement nient;) and also that they may be entered in the Parlement-Roll, as Matter of Record (come chose de Record) by which they might have Remedy, if any thing should be done to the contrary in time to come: The said poor Commonalty, to their very great Mischief, Grant to the King (si grante la dite povre Commune) a lour trop grante Mischief a nostre Seigneur le Roy trois Quinzismes, &c.) three Fifteenths to be levied in three Years, to begin at Michaelmas next coming, so as every Year one Fifteenth may be levied, and no more, at two Terms in the Year, St. Michael and Easter, by even Portions; and that this Aid may be assigned and reserved only for the War, and not to pay Debts. And if the War should cease, or a Truce be made, then the Fifteenth of the last Year not to be levied. That of these Conditions, and the manner of this Grant, Letters Patents shall be made, and sent into all Counties, without paying any thing for them, wherein shall be made mention of the great Necessity the King was in, after the last Parlement. And in case the War should break out toward Scotland, the Aid granted beyond Trent, should be employed for the Defence of those Parts, as it had been formerly.

About this time Lewis of Bavaria being dead, several of the Electors met at Colon, from whence they sent Ambassadors to King Edward, and offered to Elect him Emperor of Germany; [4] in Return to which Offer he sent Sir Hugh Nevill, and Ivo de Glington, Canon of St. Paul, with his Refusal of that Dignity, and great Thanks for the Honour they intended him.

The Conditions of the Grant of an Aid.

The Electors offer to chuse K. Edward Emperor of Germany.
[4] *Claus.* 22 Ed. III. M. 20 Dors. A.D. 1334. r12. restiteth their Offr.

The

[5] *Rot. Fran.*
22 *Edw. III.*
M. 13.
Several
Truces con-
tinued and
made.

[6] *Rot. Fran.*
23 *Edw. III.*
M. 9, 10. *Durf.*

[7] F. 168.
n. 10.

The English
Women imi-
tate the French
in Apparel.

[8] *Froisard*,
lib. 1. c. 150.

[9] *Du Chesne*,
f. 669. C. D.
and f. 670.

A B.
The betray-
ing of Calais.

Prevented by
the King and
Prince of
Wales.

Many French-
men of Note
made Prison-
ers.

[1] *Froisard*,
c. 152.

The King
Treats the
Prisoners and
his own No-
bility with a
Supper.

[2] *Rot. Fran.*
22 *Edw. III.*
M. 1.

The time of the *Truce* of Calais being near expiring, [5] the King upon the Pope's sending Commissioners, either to *prolong* the *Truce*, or *Treat* of a *final Peace*, the former was agreed for six weeks; Which Term being ended, the Ambassadors on both sides met between *Guines* and *Calais*, and agreed to another *Truce*, to begin on the 13th of *November*, and continue to the first of *September*, 1349; Which *Truce* on the second of *May* that year, [6] was *prorogued* to the Feast of *Pentecost*, 1350. The *Articles* were much the same with those of the *Truce* before *Tournay*, A. D. 1340, and of that before *Vannes*, A. D. 1343. This year, lays *Walsingham*, was [7] *Glorious* in *England*, for *Peace*, *Victories*, the *Spoils* of *Caen*, *Calais*, and other *Towns* and *Cities* in *France*, as also for *Garments*, *Furs*, *Gold* and *Silver Vessels*, and other rich *Utensils*, which were seen almost in every *House*, and that then it was, the *English Dames* began to *pride themselves* in the *Apparel* of the *French Dames*.

In a very short time after the *Truce* as above was concluded, the *Lord Geoffrey Charny*, Governor of *St. Omers*, [8] made a *Bargain* with *Sir Amery de Pavy*, an *Italian* or *Lombard*, [9] Governor of *Calais*, for 20000 *Crowns*, to betray the *Town* to him, of which *King Edward* having notice, came privately thither, the night or very evening the delivery was agreed on, with the *Prince of Wales*, and several *Earls* and *Barons*, and lodged himself in the *Castle*, to secure it with the *Men* he brought with him; The *Money* was brought and paid, and *Twelve Knights*, and an *Hundred Men at Arms*, were let into the *Castle*, who were all made *Prisoners* by the *King's Guards* within it, who lay undisturbed. *Sir Geoffrey* was under the *Town* with a considerable *Force*, placed near two *Gates*, ready to enter it when they should be opened. But the mean time the *Prince of Wales* went forth at one *Gate*, and the *King* at the other, concealed under the *Banner* of *Sir Walter Manny*, and fought on *Foot* among the *common Soldiers*, and was engaged with the *Lord Eustace of Rybemont*, a valiant Person, who struck the *King* twice to his *Knees*, yet at last was overcome by him, and made his *Prisoner*, with *Sir Geoffrey de Charny* and many other *Frenchmen* of *Note*. The *Prince* likewise prevailing against the *Party* he engaged with, and there were slain and drowned about 600 *French*, who were double the number to the *English* that sallied out of *Calais* upon them.

The very evening of this day [1] the *King* ordered a great *Supper* to be provided, as well for the *Prisoners* as his own *Nobility*, and coming in amongst them, took a *Chaplet* of *Pearls* from his own *Head*, and placed it upon the *Head* of *Sir Eustace of Rybemont*, as one that had deserved best of all *Men* in the *Morning Action*, and forgave him his *Ransom*. *Froisard* says this *Action* was done upon the 31st of *December*, 1348, the 22d of *Edward* the Third; and *Walsingham* placeth it in the year 1349, which was in the same year of the *King*, but the difference is inconsiderable, for they both begin the year on the first of *January*; And *Walsingham* following *Robert de Avesbury*, reports it to have been on the 2d of *January*, which was indeed according to this Account in the year of our Lord 1349. The *King* discharged [2] *Sir Amery de Pavy* of the *Government* of the *Town*, and put in *Sir John Beauchamp*.

This

This year the *Plague* first began in *Dorsetshire* about the first of *August*, and spread it self all over the *Nation*, and continued until *Michaelmas* twelvemonth after; it was so great in both years as a [3] *Parlement* being summoned it was twice *prorogued* [4] for that reason, and at last respited and deferred until new *Summons*. This was a general and horrid *Plague*, it began in the *Kingdom* of *Cathay*, A. D. 1346, by a most horrible stinking *Vapour*, which broke out of the *Earth* like a *Subterranean Fire*, and consumed a great part of the *Country*, and infested the *Air*. [5] From *Cathay* it passed into *Asia*, and *Greece*, from thence into *Africa*, and afterwards into *Europe*, and so into *France* and *England*. By reason of this *Plague* there is scarce any thing remarkable reported to have been done in the last year thereof, 1349, in either *Kingdom*, which was the 23d of *Edward* the Third. Yet Mr. *Ashmole* [6] in his *Institution, Laws*, and *Ceremonies* of the most Noble *Order* of the *Garter*, would fix the *Institution* of the *Order* this year, and seems to assert, That the first great Feast of *St. George*, was this year celebrated, which is scarce probable; for the *Writ* by which the *Parlement* that was to meet fifteen days after *Easter*, [7] was prorogued until new *Summons*, because of the *Raging Pestilence* in the *Nation*, is dated *March* the 10th preceding; *Easter-Day* this year falling on the 9th of *April*, and the *Quinden* or *fifteenth* of *Easter* being the 23d or *St. George's Day*, it cannot be thought that this great *Solemnity*, to which the *King* sent his *Heralds* into *Germany*, *France*, *Scotland*, *Burgundy*, *Hainault*, *Flanders*, and *Brabant*, to invite all *Knights* and *Esquires* to come and shew their *Military Skill* and *Valour* in all kinds of *Feats* of *Arms*, when the *Parlement* was put off from meeting on that day, until new *Summons*, by reason of the *Mortal Pestilence* then raging, as 'tis expressed in the *Writ*. However this famous *Order* might then be instituted, the *Modal* of it contrived, and the *Statutes* made to adorn *Martial Virtue*, and to increase and confirm *Faith*, *Honour*, and *Courage* in the minds of the *Nobility*; which were then the *true Endowments*, *Practice*, and *Badges* of *Military Men*, by the observation and performance whereof they truly acquired a great *Name* and *Reputation*, as the only *Men* of *Truth* and *Fidelity*, and not to do *Honourably*, *Justly*, *Stoutly*, and *Faithfully*, was by them esteemed the greatest *Blemish*, *Villany*, *Shame*, and *Dishonour* imaginable. Of this glorious *Order* I shall write nothing further, but leave the Reader to the perusal of the *Excellent*, *Labourious*, and *Learned Work* of Mr. *Ashmole*.

The next year [8] *Sir Thomas Dagworth*, the *King's Lieutenant* in *Bretagne*, with a small number, as he was used to do, in the month of *July*, going from place to place to visit the *Garrisons*, was surprised by an *Ambush* of *French*, and after a brave *Defence*, killed, as were most with him, or made *Prisoners*.

In *August* following, about the Feast of *St. Lawrence*, or 10th of that month, [9] as *Avesbury*, or according to [1] *Mezeray* on the 22d thereof, *Philip King of France* died, and his Eldest Son *John* was Crowned at *Rheims* on the 26th of *September* following. *Walsingham*, f. 170. n. 50. falsely (as appears from the *Parlement Rolls* hereafter cited) placeth the death of *King Philip* in A. D. 1355, and 29th of *Edward* the Third.

A great
Plague in
England.

[3] *Rot. Clause*
22 *Edw. III.*
Part 2. M. 7.
Durf.
[4] *Idem*. M. 3.
Durf. & *Rot.*
Clause 23 E.
III. Part 1.
M. 19. *Durf.*
[5] *Mazzay*,
f. 369.

[6] F. 185.
c. 5. S. 5. 3.
The Institution
of the Order of the
Garter.

[7] *Rot. Clause*
23 *Edw. III.*
Part 1. M. 19.
Durf.

[8] *Avesbury*,
p. 120. b. 274.
A. D. 1350.
Sir Thomas
Dagworth
slain.

[9] *Idem* c. 75.
[1] F. 370.
Philip King of
France dies;
his Son *John*
Crowned.

The

[2] *Avesbury*,
at *supra*.
c. 76, 77.
The Spaniards
take many
English
Their Fleet
beaten by the
English.

[3] *Ib.* p. 121.
a. c. 77.

They make a
Truce.

[4] *Rot. Fran.*
23 *Edw.* III.
M. 9, 10.
The French
Truce pro-
rogued.

[5] *Ib.* 24 E.
III. M. 2.

[6] *Ib.* M. 8.
Dorf.

The same
Truce con-
tinued.
Hostilities
committed
notwithstand-
ing the
Truces.

[7] *Avesbury*,
p. 121. a.
c. 78. A. D.
1351.

A. D. 1351.
25 *Ed.* III.

[8] *Ib.* c. 80.

[9] *F.* 372.

[1] *Rot. Clause*
25 *Ed.* III.

M. 5. Dorf.

[2] *Rot. Parl.*
25 *Ed.* III.

Part 2. n. 1.

Summons to
Parliament.

[3] *Ib.* n. 7.

The cause of
meeting de-
clared.

The Spaniards [2] the year before came toward a great Fleet of Ships, and took many English Ships thence laden with Wine, and killed all the Men. they came upon the English Coast; The King susp waste, burn, and rob the Country near the Sho Fleet, taking with him many Noblemen, and M with Men at Arms, Archers, and Seamen, abou of this month engaged them before *Winchelsey*, Twenty four large and rich Ships; after which Spaniards made a Truce for Twenty years.

The Truce [4] above-mentioned, that had been Calais and Guines on the 13th of October, 1348, to co first of September, 1349, was the 2d of May proce (so the Word in the Record) to the Feast of year 1356.

In August that year Philip of Valois (as above Son John succeeded [5] on the 25th of November Commissioners were appointed to Treat with his confirm the last Truce made with his Father to th then next to come, which was to be in the year 13 Edward III.

Upon a new Treaty this same Truce [6] was continue a whole year longer, until the first of August that first of August which was to be in the year of Edward III.

Notwithstanding these Truces were in being, something enterprised, by each Party against the French besieged the Town of St. John de Angely in year 1351, and made themselves Masters of it. surpris'd the Castle of Guines, the Governor having with Money, which King Edward pleasantly excus'd the zeray hath it, saying, Truces were Merchandise, and more than follow the Example of King Philip, who with Honour, and Cou

This year the King issued his Writs [1] on the 25th of November, for summoning a Parlement to meet on the 13th of January, which was on Friday, and not to do that day it was continued to Monday, because many of the commons were not come, and then until Tuesday, the 14th of January, when Sir William de Shareball, in the name of the King, Lords and Commons, [3] declared the commons, and Learned Lawyers setting forth the King's Title to the Crown of France. The next year [2] That Philip of Valois had usurped it all his Life, Bretagne, with a so, but moved War against him in Gascoign in the month of July, going seising upon his Rights and Possessions, and doing it surprised by an Ambush of French, and after a brave Defence, him by Sea and Land, which they well understood, as were most of his Realm of England, and that before that time the Matter had been propounded to the King; and the Great Men, as also the Commons requested to give their Counsel and Advice, (as Grantz come as Communes gils ent vorroient donner leur avis) what was best to be done; and after good Deliberation they said, They knew no other way to advise him to cure Allies, to go against his Adversary by main Force

This year the Plague first began in Dorsetshire about the first of August, and spread itself all over the Nation, and continued until Michaelmas the next month after; it was so great in both parts as a [3] Parlement being summoned it was twice prorogued for that reason, and at last respited and deferred until new Summons. This was a general and horrid Plague, it began in the Kingdom of Calais A. D. 1346, by a most horrible stinking pour, which broke out of the Earth like a Subterranean Fire, consumed a great part of the Country, and infested the Air. From Calais it passed into Asia, and Greece, from thence into Africa, and afterwards into Europe, and so into France and England. By reason of this Plague there is scarce any thing remarkable reported to have been done in the last year thereof, 49, in either Kingdom, which was the 23d of Edward the third. Yet Mr. Asmole [6] in his Institution, Laws, and Ceremonies of the most Noble Order of the Garter, would fix the Institution of the Order this year, and seems to assert, That the first Feast of St. George, was this year celebrated, which is scarce probable; for the Week by which the Parlement that was to meet then days after Easter [7] was prorogued until new Summons, by reason of the Raging Pestilence in the Nation, is dated March the 14th preceding; Easter Day this year falling on the 9th of April, the Quinden or fifteenth of Easter being the 23d or St. George's day, it cannot be thought that this great Solemnity, to which the King sent his Heralds into Germany, France, Scotland, Burgundy, Flanders, and Brabant, to invite all Knights and Esquires to come and shew their Military Skill and Valour in all kinds of feats of Arms, when the Parlement was put off from meeting on that day, until new Summons, by reason of the Mortal Pestilence raging, as 'tis expressed in the Writ. However this famous institution, the Modal of it contrived, and the Martial Virtue, and to increase and confirm the minds of the Nobility; which are then the true Enrichments, Practice, and Badges of Military and performance whereof they truly acquire a great Name and Reputation, as the only Men of Trust and Honourably, Justly, Slowly, and Faithfully, the greatest Blemish, Villany, shame, and Dishonour of his glorious Order I shall write nothing leader to the perusal of the Excellent, Labour of Mr. Asmole.

For Thomas Dagworth, the King's Lieutenant in all number, as he was used to do, in the place to place to visit the Garrisons, from place to place to visit the Garrisons, of French, and after a brave Defence, him, or made Prisoners. about the Feast of St. Laurence, or 10th of August, or according to [1] Mezeray Philip King of France died, and his Eldest Son, John, succeeded him on the 26th of September following. 170. n. 50. falsely (as appears from the Roll cited) placeth the death of King Philip the third of Edward the Third.

The

A great
Plague in
England.

[3] *Rot. Clause*
22 *Edw.* III.
Part 2. M. 7.

[4] *Ib.* M. 3.

Dorf. & *Rot.*

Clause 23 E.

III. Part 1.

M. 19. Dorf.

[5] *Mezeray*,
f. 369.

[6] *F.* 185.

c. 5. s. 3.

The Institution
of the

Order of the
Garter.

[7] *Rot. Clause*
23 *Edw.* III.

Part 1. M. 19.

Dorf.

[8] *Avesbury*,
p. 120. b. c. 74.

A. D. 1350.

Sir Thomas

Dagworth

slain.

[9] *Ib.* c. 75.

[1] *F.* 370.

Philip King of

France dies;

his Son John

Crowned.

[2] *Ambury*,
at *supra*.
c. 76, 77.
The Spaniards
take many
English
Their Fleet
beaten by the
English.

[3] Ib. p. 121.
a. c. 77.
They make a
Truce.

[4] *Ret. Fran.*
23 *Edw. III.*
M. 9, 10.
The French
Truce pro-
rogued.

[5] Ib. 24 E.
III. M. 2.

[6] Ib. M. 8.
Def.
The same
Truce con-
tinued.
Hostilities
committed
notwithstand-
ing the
Truces.

[7] *Ambury*,
p. 121. a.
c. 78. A. D.
1351.

A. D. 1351.
25 *Ed. III.*
[8] 15. b. c. 80.

[9] F. 372.
[1] *Ret. Claupe*
25 *Ed. III.*
M. 5. *Def.*

[2] *Ret. Parl.*
25 *Ed. III.*
Part 2. n. 1.
Summons to
Parliament.

[3] Ib. n. 7.
The cause of
meeting de-
clared.

The Spaniards [2] the year before came toward *Burdeaux* with a great Fleet of Ships, and took many English Ships coming from thence laden with Wine, and killed all the Men. And this year they came upon the English Coast; The King suspecting it was to waste, burn, and rob the Country near the Shore, fitted out a Fleet, taking with him many Noblemen, and Manning it well with Men at Arms, Archers, and Seamen, about the latter end of this month engaged them before *Winchelsey*, [3] and took Twenty four large and rich Ships; after which Sea Battel the Spaniards made a Truce for Twenty years.

The Truce [4] above-mentioned, that had been made between *Calais* and *Guines* on the 13th of *October*, 1348, to continue unto the first of *September*, 1349, was the 2d of *May* preceding Prorogued (so the Word in the Record) to the *Feast* of *Pentecost* in the year 1356.

In *August* that year *Philip* of *Valois* (as above) died, and his Son *John* succeeded [5] on the 25th of *November* next following, Commissioners were appointed to Treat with his Commissioners to confirm the last Truce made with his Father in the first of *August* then next to come, which was to be in the year 1351, and 25th of *Edward* III.

Upon a new Treaty this same Truce [6] was proclaimed to continue a whole year longer, until the first of *August*, next after that first of *August* which was to be in the year 1352, and 26th of *Edward* III.

Notwithstanding these Truces were in being, there was often something enterprised, by each Party against the other. [7] The French besieged the Town of *St. John de Angely* in *Xantogne* in the year 1351, and made themselves Masters of it. [8] The English surprised the Castle of *Guines*, the Governor having been corrupted with Money, which King *Edward* pleasantly excused, as [9] *Mezeray* hath it, saying, Truces were Merchandise, and that he did no more than follow the Example of King *Philip*, who would have bought *Calais*.

This year the King issued his Writs [1] on the 15th of *November*, for summoning a Parlement to meet on the *Feast* of *St. Hillary*, or 13th of *January*, which was on *Friday*; [2] from that day it was continued to *Monday*, because many of the Lords were not come, and then until *Tuesday*, the Fifth day of the Parlement, when Sir *William* de *Sharehall*, in the presence of the King, Lords and Commons, [3] declared the cause of Summons, setting forth the King's Title to the Crown of France, telling them, That *Philip* of *Valois* had usurped it all his Life, and not only so, but moved War against him in *Gascoign* and other Places, seizing upon his Rights and Possessions, and doing the Mischiefs to him by Sea and Land, which they well understood, in subversion of him and his Realm of *England*, and that in Parlements before that time the Matter had been propounded in behalf of the King; and the Great Men, as also the Commons, had been requested to give their Counsel and Advice, (so fut prie de s'avis) what was best to be done; and after good Deliberation had, they said, They knew no other way to advise him, than to procure Allies, to go against his Adversary by main Force, and to do

this,

this, they promised to aid him with Body and Goods, (so a ceo fair ils lui promistrent de lui aider de corps & de avoir;) Whereupon the King made Alliances beyond Sea, and with their Assistance, and the help of his good People of *England*, he made War upon him, because he could not have a reasonable Peace; That the King and his Adversary had often assented to Truces, yet his Adversary during those Truces imagining to subdue and deceive the King, broke them every way, continuing his Malice against him and his Friends; That now John his Son, after his decease, continuing the same wrongs his Father had maintained, possessed the Kingdom of France, and contrary to the last Truce confirmed and sworn to by both, which he had broken in *Gascoign* and *Bretagne*, and also upon the Sea, and had sent to Scotland to continue the ancient Alliance made between them, wholly in Subversion and Destruction of the King and his People of *England*: Wherefore the King first of all much thanks his Commons for the Aids they have made him, and for the Goodwill he had always found in them; pur quoi tut ad e primes nostre Seigneur le Roi mercie molt a ces Communes des Eydes qils lui ont faitz, & de leur bone volonte qils ad totes voyes trouve en eux, &c.) and prays them (so les prie) they would advise upon these things until *Wednesday*, (tant a cest meskerdy preschien suant) which was next day) and be at *Westminster* by Sun-rising (tous apres le solail lever) in the Painted Chamber, to deliberate, and to hear if the King would say any thing further touching the cause of his Parlement, and to shew the King their Grievances, if they had any, that Remedy might be given them this Parlement.

Afterwards [4] Sir *William* charged the Commons on behalf of the King (le dit Sire William chargea les Communes de par le Roi) to shorten their stay in Town, and for the quick dispatch of these Matters, and others that might be shewn them from the King, that before their departure they would go together in some place at *Westminster*, to choose 24 or 30 Persons out of their whole number, to be on the morrow in the Painted Chamber, that the King might send to them some Great Men (aucunes des Grantz) to confer with them upon the Business aforesaid.

On *Friday* [5] all the Commons came before the Prince, and the other Great Men, (so les autres Grantz) in the White Chamber, where Sir *Bartholomew* Burghers gave them an Account of the Malice and falshood of the King's Adversary of France, (ou fut dit par Monsieur Barthelemy de Burghers la Malice & la Fausse de son adversaire de France) how he had broke the last Truce, and that lately upon the Sea, in *Gascoign*, *Bretagne*, and near *Calais*, and indeavoured by all the Subtilties and Contrivances his Council knew, to trouble the King and his Subjects every where, and said the Commons ought diligently to advise what seemed, and what might be best to do for the King to oppose and check the Malice and falshood aforesaid, for the safety of himself, his Kingdom and all his Subjects. And presently after this Declaration, the said Sir *William* told the Commons, if they had any Petitions of Grievances done to the People, or for the amendment of the Law, they should bring them into Parlement; and told the Prelates and Lords, they were to attend the Business of all Persons Petitions in the Places where they were assigned.

I i

And

[4] Ib. n. 8.
A Committee
of Lords and
Commons to
meet to con-
fer upon the
Business of
this Parle-
ment.
The King
sent the Lords
or Great Men
to them.
[5] Ib. n.

The cause of
Summons fur-
ther declared
and enforced.

[6] Ib. n. 9.

Upon Treaty of the Committee, and Advice of the Lords sent to them.

A Roll of an Ayd, and the Petitions of the Commons was delivered to the King.

[7] Ib. n. 10. The Ayd.

[8] Ib. n. 11. The Conditions of the Ayd.

[9] Ib. n. 12.

[1] Ret. Ib. The King's Answer.

[2] Ib. n. 16.

And then after a long [6] Treaty and Debate by the Commons (that is, the 24 or 30 Persons chosen to confer with the Great Men sent to them by the King) with the Commonalty, and the Advice of the Great Men sent to them, as well about a convenient Ayd to the King to oppose the Malice of his Adversary, as about making the Petitions concerning the common People of the Land; (*& puis apres longue Trete & Deliberation eues par les Communes ove la Comunalte, & lavois de ascuns des Grantz a eux envoies sibiens sur un eide que convendroit a Roi, &c.*) The Commons came before the King, and all the Great Men in Parlement, (*vindrent les ditz Communes devant nostre Seigneur le Roi & touz les Grantz en Parlement*) and shewed how the Common People of the Land were much impoverished by the late Mortal Pestilence, as by other Burthens, Taxes, Tailages, and many other Payments laid upon them, but notwithstanding these Mischiefs, having regard to the necessary Defence to be made for the safety of the Nation, against so great Malice of the Enemies of the Kingdom, delivered to the King in full Parlement a Roll, (*baillerent a le Roi en Parlement une Roule, &c.*) containing as well the Ayd which they had intirely with one accord granted, as the Petitions, (*touchant la comune de la terre*) concerning the Commons of the Land, to which they prayed the King to give a good and quick Answer, (*bon & hastif Respon;*) He granted their Prayer, and Thanked them for the great Ayds given him before, and for that now granted, and for the good Will and Nature which he had always found in his Commons before this time, and now finds in this Affair.

Then follows the Grant [7] of Three Tenths, and Three Fifteenths granted to the King this Parlement by the Great Men of the Land, and the whole Commons, (*Grantees a nostre Seigneur le Roi en cest present Parlement par les Grantz du Roialme & par tote la Commune, &c.*) for the great necessity declared to the said Commons, by the King and Great Men, (*par le Roi & les Grantz a-vantditz*) to be paid as the last Tenths and Fifteenths were in Three years, &c. upon the Conditions following:

'To wit, [8] That all the Fines, Issues, Amerciaments, Profits and Excesses levied, or to be levied upon the Labourers, Artificers, Regrators, &c. go to the Commons toward this Tax, &c. as in the Statutes at Large, now nothing to the purpose; and so the Answer.

'That hereafter [9] no Tax, Taille, Ayds or Charges be demanded or levied of the Commons; and that all the reasonable Petitions prayed by the Commons, may be granted, confirmed, and sealed, before the departure of this Parlement.

'As to Tax and Taille, [1] 'tis not the intention of the King, or the Great Men, (*me des Grantz*) they should ever be charged.

'As to granting their reasonable Petitions, the King is pleased it should be done.

'Also the Commons pray, [2] the Loans that were granted to the King by many Persons of the Commons, may be released, and none compelled to make such Loans for the future against his will,

'will, for that 'twas against Reason and the Franchise of the Land; and that Restitution might be made to those that had made the Loans.

'The King [3] is pleased it should be so.

'Also, That whereas the Justices [4] assigned in divers Counties, have judged many Men that were Arraigned before them as Traitors, for divers Causes unknown to the Commons to be Treason, That the King by his Council, (*& par les Grantz & Sages de la Terre*) and by the Great and Wise Men of the Land, would please to Declare the Points of Treason in that Parlement.

'The [5] Answer was, as in the Statute of the 25th of Edward the Third, Cap. 2.

The next year, about the beginning of August, Sir Walter de Bimley, the King's Governor of Britain and Parts adjoining, with a small number of English, in respect of the great Army a Marshal of France had encompassed them with, in the Plains near the Town of Mauron, obtained a considerable Victory, having killed Seven score Knights, and as many Esquyers, and Men at Arms as made the number 500, besides Common Soldiers without number, and many taken Prisoners, according to his own Relation in a [7] Letter to the Lord Chancellor, John Thoresby, Bishop of Worcester, and soon after Arch-Bishop of York, in which he mentions the Names of those of the best Quality that were slain or taken.

On the 6th of December * Pope Clement the Sixth died, and Cardinal Stephan de Albret, Bishop of Clermont, succeeded him the 18th of the same month, a Lamsin by Birth, and took upon him the Name of Innocent VI.

In the 27th of his [8] Reign, he issued his Writs, July 15, by which he summoned a great Council to meet at Westminster on Monday after St. Matthew the Apostle, [9] on the 7th of October; The King, Prelates, and Great Men (*le Roy, Prelates & Grantz*) being in the [9] White Chamber, (*les coes appellez*) the Commons were called, and Monsieur Bartholomew de Burghersh, the King's Chamberlain, told them, 'That the King thinking how he might best ease his People, who had been often charged with Impositions, and

'great Ayds, by reason of the War against his Adversary of France, who detained his Rights and Heritage of the Crown of France, had sent lately the most Noble and Excellent Persons of his Realm, the Arch-Bishop of Canterbury, the * Duke of Lancaster, and other Prelates, and Great Men, to Guyenes, to Treat with the Deputies of his Adversary (*ove les Deputes son dit adversari*) in presence of a Cardinal which the Pope sent thither as a Mediator; and after this Treaty had sent his Confessor to the Pope, to let him know, That considering the many People had been killed in this War, and desiring to spend part of his time in another War to the greater Pleasure and Honour of God, if his Adversary would make restitution of the Dutchy of Guyen to him as intirely as any of his Ancestors had enjoyed it, to hold it freely without Homage or Service, he would be willing after the end of the War,

[3] Ret. Ib. The King's Answer.
[4] Ib. n. 17.

[5] Ret. Ib. The Answer.

[6] Auchbury, c. 81, 82. p. 121. b. 122. a. b.
A. D. 1352. 26 Ed. III.
A great Victory obtained over the French in Brittany.
[7] Ibid.

* Mazaray, fol. 372.
Pope Clement the Sixth dies, Innocent the Sixth succeeds.
[8] Claupe, 27 Ed. III. M. 12. Dors.
A great Council summoned.
[9] Ret. Parl. 27 Ed. III. n. 31. or 9.
The causes of it declared.

* He was created the first Duke of Lancaster on the 6th of March, 25th of Ed. III. See Par. 25 E. III. p. 1. M. 18.

K. Edw. upon Terms would have quitted his Title to the Crown of France.

[1] Ibm.

[2] Ibm.

The Subsidy of Wooll, &c. granted for 3 years.

[3] Aves. p. 122. b. c. 84. Charles of Blois set at liberty for a great Sum of Money.

[4] Rot. Parl. 28 Ed. III. n. 58. K. Edw. continues his Inclinations for Peace. St. Mark was on Easter Tuesday, Easter day this year being Apr. 23.

[5] Ibm.

to resign the Crown of France : That the Pope had been farther addressed to, privately to search out his Adversaries Inclinations toward another Treaty, with Protestation, That if he should not accept it, all his Rights should be entirely saved to him, as if no Offer had been made ; of which the King not having received any Account from the Pope, he sent his Cleric, Master William de Willesey Arch-Deacon of Huntingdon, to know what had been done in this Affair, who brought back nothing to any purpose : [1] Wherefore it seemed convenient to the King, the Great Men, and his Council, That he should prepare himself for War against his Adversary, as well for the Defence of England, as to recover his Rights, for which he ought to have a great Sum of Money. [2] And the said Chamberlain shew them further, That the Subsidy of Wooll, Leather, and Woollfells, ended at Michaelmas last past - That it was not the King's Intention to lay any Tax, or other Charge upon his People ; but he requested the Prelates, Great Men, and his Commons, to grant him the Subsidy of Wooll, Leather, and Woollfells, for some time ; (*mes il prie as Prelates, Grantz, & ses Communes, qils lui veulent Grantier le Subside des Leines, Quirrs, & peaux lanus pur un temps.*) Upon which Request and Deliberation had between the said Prelates, Great Men, and Commons, they unanimously agreed and granted the King the Subsidy of Wooll, &c. to receive it as it had been taken formerly, for three Years from Michaelmas last past, if the War held so long ; (*Jur quen priere ene deliberation entre les ditz Prelatz, Grantz, & Communes fassenteront unement & grantierent au Roi le Subside des leines, quirrs, & peaux lanus, &c.*) upon Condition that the Money arising from this Subsidy, should be safely kept for the War, and not to be employed to any other Use.

This Year after Christmas [3] Charles of Blois, who took upon him the Title of Duke of Britan, and had been Prisoner in England a long time, by the Mediation of the Great Men of that Country, upon certain Conditions and Promises of a great Sum of Money, was released ; for the Payment whereof, two Sons and a Daughter were sent into England as Hostages.

King Edward continued his Inclinations to Peace, [4] which were declared by Monsieur Bartholomew de Burghersh, to the Great Men and Commons (*a les Grantz & Communes*) in the Parlement holden next Year, on Monday after the Feast of St. Mark, signifying to them, that there was great hopes of Peace, by Treaty between Commissioners on both Parts. Yet the King would not conclude any thing, without the Assent of the Great Men and his Commons (*sanz assent des Grantz & de ses Communes*) wherefore he demanded of them, on behalf of the King, Whether they would Assent and Agree to Peace, if it might be had by Treaty ? To which the Commons answered with one accord, That what Issue it should please the King and Great Men to take of the Treaty, should be agreeable to them (*a quoi* [5] *les Communes dun assent & dun accord, responderent que quel Issue que plust a Seigneur le Roy & les Grantz de prendre du dit Tretee seust agreable a eux.*) Then the Commons were asked again, If they would Assent to a perpetual Peace, if it might be had ? who all entirely answered (*Oil, Oil*) Yes, Yes. Whereupon Master Michael Northburgh, Keeper of the Privy Seal, Commanded Sir John de Sneyreley the Pope's

Pope's Notary, That he should make thereof a Publick Instrument.

Not long after this Parlement [6] by a Second Treaty a Peace was concluded, upon the Terms King Edward had sent to the Pope the Year before : And it was agreed, That for the Pope's Confirmation of this Peace, there were Messengers to be sent by both King's to the Roman Court, and at the same time a Truce was [7] made, until the Feast of St. John Baptist, which was to be in the Year following.

About Christmas [8], Henry Duke of Lancaster, John Earl of Arundel, William Bishop of Norwich, and Michael Bishop of London, went to the Roman Court, in behalf of King Edward ; by whom the Articles of Peace were recited before the Pope, in the Presence of the French Envoys, who denied the Form of the Articles, and said their had been no such Agreement, and that they would not consent to them : And the English Envoys returned, not having done any thing for what they were sent, except William Baileman Bishop of Norwich, who died, and was Honourable interred at Avignon.

After the Expiration of the Time of Truce, King Edward on the 20th of September [9] issued his Writs for a Parlement to be holden on the morrow after the Feast of St. Martin, being Thursday the 12th of October, when [1] it was continued, because the Lords were not come, until Wednesday next following the 18th of October. On which Wednesday, Sir Walter de Manny declared the cause of Summons, as knowing the whole matter of it, which was as follows, in part much according to the Relation of Avesbury :

[2] That the King had lately sent Commissioners to Calais, to Treat about a Peace with the Commissioners of his Adversary of France, in the Presence of the Cardinal of Bologne sent by the Pope : That several Points had been agreed ; and that according to the Agreement, he had sent the Duke of Lancaster, and others, his Ambassadors to the Court of Rome, to perfect and finish the Peace before the Pope ; but without effect, for the Faults found with it on the part of his Adversary ; (*pour defaute & coupe trove de la part son Adversair :*) That while his Ambassadors remained there, the King of Navarre (who about two Years before had Married [3] Jane the King of France's Daughter) had complained often to the Duke of Lancaster of the [4] Wrongs and Hardships he had suffered from the King of France, affirming upon his Oath, he would willingly enter into an Alliance with the King against his Adversary with all his Power ; and pressed him so often, that at last the Duke promised an Alliance, if the King pleased : That thereupon he engaged to make himself as strong as he could with Ships, and Land Forces, and come to the Isles Guernsey and Jersey, to affirm and make good the Alliance (*pur affermer, & secure lalliance :*) That for this cause, upon the Duke's return into England, the King, informed of this Agreement, caused to be got ready an Army, and Fleet of great Ships, with which he sailed out of the Thames towards the Isles ; and the Winds being contrary, with much trouble got to Portsmouth, and there staid so long, as he received certain Intelligence the King of Navarre would not proceed in, or had quitted the Alliance (*que le Roy de Navarre entre lessé la dite Alliance*) against his Promise

[6] Aves. p. 123. b. c. 89. A Peace concluded. The Peace to be confirmed by the Pope. [7] Ibm.

[8] Ibm. The King's Envoys to the Pope for that purpose. The French Envoys before the Pope deny the Articles of the Peace.

[9] Rot. Claus. 29 Ed. III. M. 8. Dnf. A Parlement summoned. [1] Rot. Parl. 29 Ed. III. n. v. The cause of Summons declared.

[2] Ibm. n. 4, 5, 6, 7, 8, 9.

[3] Metcary, f. 372. The King abused and cheated by the King of Navarre. [4] Rot. Parl. ut supra.

The King
passeth to Calais
with his
Fleet and Army.
His Foreign
Allies.

He could not
provoke the
King of France
to Battel.

His Men wearied
for want
of Wine.

He pays off
his Allies, and
returns into
England.

[5] Ib. n. 10.

Speedy Advice
desired of the
Parliament.

The King desires
to finish the
War with
France.

[6] Ibid. n. 11.

A Subsidy of
6 years granted
to the
King.

[7] p. 126 a. b.
c. 95.
His Expedition
on into France.

Promise and Oath, and was become an *Allie* of his *Adversary*. Whereupon the King returned with his Fleet and Forces (*nostre Seigneur se retourna ove sa Navie & Gentz*;) and seeing he could not have Peace, and the Alliance failed, and also that his Adversary made himself strong with Men at Arms, and other Forces near *Calais*, thinking to have a speedy Battel with him, he resolved, with his Fleet and Army, to pass over to *Calais*: That when he was landed, by Advice of his Council, he Mustered his own Forces, and those of his *Allies* which he found there; as those of *Monsieur Henry de Flanders*, *Monsieur Frank de Vanbale*, and other People of *Almain*, in great number, and marched out of *Calais* on the Feast of *All-Souls*, or 2d of *November*, toward the Places where, by Spies or other means, he could be informed his Adversary was, that he might bring him to a Battel: But to avoid that, he fled Night and Day, the King pursuing him, wasting and burning the Country throughout (*degaissant, ardent, & brillant le pays par tut*) until by Assent of his Council, because his People were much wearied for want of Wine, having drank only Water for near four Days (*per cause que les Gentz furent molt lassez par defaute de Vin, & ne buerent que de eau bien per quatre jours*) he returned toward *Calais*, where he designed to have fought his Enemy; but he came not. Then he paid off his *Allies* very frankly, they having been there a long time, and returned into England to his Parlement.

After this Relation, the [5] Commons were told by Sir *William Shreshull*, Chief Justice of the *Kings-Bench*, They ought to have regard to the great Trouble the King had endured, for the Defence and Safety of the Kingdom, and of his Readiness to march into *Scotland* against his Enemies, who had taken the Town of *Berwick* by Force: And that to shorten the Time of Parlement, and their stay in the Town, they were to give speedy Advice what was best for the King to do, to make an end of the War with *France*, which he desired sovereignly, or above all things, might be done with dispatch (*quel il desire souverainement que soit fait en hast*) and how he might be best aided to do it, to the least Grievance of his People, and most Profit to himself, he gave them time to answer until *Friday* next following (*en sur ceo les dona jour de Respons de Vendredy preschien suant*) and in the mean time to prepare their *Bills* and *Petitions*, and bring them into Parlement: [6] (*A quen Vendredy vindrent les dites Communes en la presence nostre dit Seigneur le Roy, Prelatz, & Grantz, assemblez en la Chambre blanche el eue illoques une brief parlance ove les dits Grantz, Grantrent uniement, &c.*) On which *Friday*, the Commons came into the presence of the King, Prelates, and Great Men, assembled in the White Chamber, and having there a short Conference with the said Great Men, Granted (*uniement & dune accord*) unanimously and of one accord to the King, the *Subsidy* of *Wool*, *Leather*, and *Woolfel's* for six years next coming. So as during that time, the King should not put any *Impositions* or other *Charges* upon the Commons; and then they brought their *Petitions* before the King, who answered them.

Avesbury in his [7] Narrative of the King's Expedition into *France*, tells us, That after his return to *Calais*, on *Wednesday* the Feast of *St. Martin*, or 11th of *November*, the *Constable* of *France*, and

and others, met the Duke of *Lancaster*, the *Earl* of *Northampton*, and Sir *Walter Manny*, at the end of the Causeway of *Calais*; and by Letters of *Credence* from their King, offered Battel to the King of *England* on *Tuesday* following. The *English* Lords answered by the King's Command (*de Precepto Regio*) That it was his *Intention*, as much as he could, to avoid the Effusion of *Christian* Blood, and therefore desired to fight Body to Body with his Adversary; so as the whole Right to the Crown of *France* might be decided by this Battel between them two: And if this was refused, That each of them should take to him his Eldest Son; and if he admitted not that, Then both to chuse Two, Three, or Four Knights, the nearest to them in Blood, to be joined to them and their Sons; that so the Right to the Kingdom of *France* might be finally determined, and that he who was Conquered should yield it to the Conqueror. Which Offers the *French* refused, standing to their Proposition of Fighting on *Tuesday*. The *English* offered to Fight the next Day, or *Saturday*: The *French* persisted in their First Offer; which the *English* accepted, upon Condition, That if they could not bring their King to Battel on that Day, they should render themselves Prisoners to the King of *England*; as in like manner they would render themselves Prisoners to the King of *France*, if they brought not then their King to Battel. The *French* refused this Offer; and the *English* thought they trifled with King *Edward*, and put Cheats upon him, that by Delay and his great Expences he might be weary of the War. The King staid and expected the *French* on *Tuesday*, but none came. [8] The *French* Writers make a contrary Story of this: They say, That after King *Edward* had ravaged and burn *Bolognia* and *Artois*, as far as the Town of *Hispden*, which nor the Castle he could not take, he returned to *Calais*: That the King of *France*, having Rendezvous'd his Army at *Amiens*, marched to *Hispden*, and pursued him to *St. Omer*, and from thence sent to him *Arnold de Andrevogen*, Marshal of *France*, and other Knights, to let him know he would Fight with him Body to Body, or Power to Power, when and in what place he pleased; which he refused, returning into *England*, and King *John* to *Paris*.

Before this *Action* of his Father's near *Calais*, on the Nativity of the Virgin *Mary*, or 8th of *September*, [9] the Prince, with the *Earls* of *Warwick*, *Suffolk*, *Salisbury*, and *Oxford*, with 300 Ships, and a good Force in them, set Sail from *Plimouth* into *Gascoigne*; and in a short time after his arrival, [1] marched from *Bordeaux* to *Narbon*, feated, as it was then called, on the *Greek Sea*, now the *Mediterranean*, laid waste, burnt, and destroyed all the Cities, Walled, Fortified, and other Good Towns, in his March backwards and forwards, except the City [2] *Tbolose*, in which were the *Constable* of *France*, the Marshal of *Clermond*, and *Earl* of *Armanak*, with a great Force to defend it. The time of these *Burnings*, *Plunderings*, and *Destroyings*, was two Months before the Return to *Bordeaux*, a Journal whereof is to be seen in a Letter from the Prince to the Bishop of *Winchester*, then Lord Treasurer, Dated on *Christmas*-Day, and another more exact from Sir *John Winefield*, one of the Chief Actors in this Cavalcade, Dated on *Wednesday* before *Christmas*-Day, in *Avesbury*, p. 127. a. b. p. 128. a. b. p. 129. a. b.

[8] Froiss. lib. i.
c. 155.
Du Chesne, f.
674. D.
Mazur. E. 373.

[9] Avesbury, p. 125.
b. cap. 95.
The Prince
gone into Gas-
coigne.

[1] Ibid.
Marched to
Narbon; burns
and destroys
the Country.

[2] Ibid. 129. b.

A. D. 1355.
: 9 Edw. III.

Berwick surprized by the Scots.

[3] Ibm. p. 731. b. cap. 103.

Retaken by the King.

The King of Scotland ill used by his People.

He grants the Crown of Scotland, &c. to K. Edw.

And puts him in possession of the Kingdom.

[4] Rot. Scot. 29 Ed. III. M. 12.

[5] Ibm. 30. Ed. III. M. 6.

[6] Ibm. 8.

[7] Ibm.

[8] Walsl. f. 171. n. 40.

[9] Ibm. and Du Chesne, f. 675. D. from Froys. f. 78. a. cap. 157.

a. b. p. 130. a. b. Cap. 98, 99, 100. now not much to the purpose to be either transcribed or translated.

The King having received News, that the Scots had surprized the Town of Berwick, as was noted by Sir William Sheresbush in his Discourse to the Parliament; so soon as it was ended, in the latter end of November, marched with a great Army toward Scotland, and kept his Christmas at Newcastle upon Tyne. [3] The English all this while defended Berwick-Castle against the Scots, and on the 13th of January, the King being in it, with Sir Walter Manny, the Town was surrounded with the English Army, and the Port and Castle both secured by the English Navy, the Scots threw themselves upon the King's Mercy, and yielded up the Town.

For the very severe Usages and Hardships, drawn up in hard Words, in the very Grants Edward Baliol King of Scotland received from the Scots, and not being able to endure them, or contend for the Honour and Dignity due to him from his People in his old Age and feeble Condition, on the 20th and 25th Day of January, at Roxburgh, Gave, Granted, and Confirmed, for him and Heirs, to Edward King of England, the Kingdom, Government, Title, and Crown of Scotland, together with the Isles, and all manner of Royalities, Dignities, Honours, Prerogatives, Privileges, Rights, Dominions, Homages, Services, Fees, Advowsons, Cities, Castles, Towns, Lands, Possessions, and all and singular things which belonged to the Crown of Scotland, or might any way belong to it; and all his Isles, Castles, Cities, Towns, Demesnes, Lands, Possessions, Dignities, and Rights, with their Appertinences in England, or Galway, or elsewhere within the Kingdom of Scotland; to have and to hold to him, his Heirs, and Assigns; and put him in possession of all these things, as well by delivery of his Golden Crown, as delivery of corporal Possession of the Soil of the Kingdom, &c. In consideration whereof, King Edward was to allow him 2000 l. Sterling by the year for his Life, to be paid Quarterly. There were several long [4] Instruments made about this Grant, as also an Exemplification of the main Indenture of the Agreement between the Two Kings, Dated at Banburgh the 20th of February [5] the Year following. Also there is King Edward's Release of the Homage done to him by Edward Baliol, [6] Dated the 12th of March next after at Westminster, and a Proclamation, That notwithstanding this Grant, the People of Scotland should enjoy and be Governed by their Old Laws and Customs as before, without any Change or Alteration, [7] Dated at the same Place, on the 15th of the same Month.

In the next Year, Prince Edward [8] marched out of Burdeaux with his Army toward the River Loire, and designed such another Ravage and Destruction in the Countries on both sides of it, as he had made the Year before between Burdeaux and Narbon, which he had begun. [9] Upon the News whereof, the King of France went directly from Paris to Chartres, where he drew Forces from Avergn, Berry, Burgogn, Lorain, Haynault, Vermandois, Picardy, Normandy, and Bretagne, to oppose him; in the mean time guarding the Passes and breaking down the Bridges upon the Loire, while the Prince took Remorentin, and several other Places

Places and Castles, and had many Skirmishes with French Parties, beat them, and took several Prisoners, on the South-side of the River, before the memorable Battel of Poitiers; the best Description whereof is in [1] Mezeray's Abridgment of Froissard's tedious Relation of it, as follows:

[1] Fol. 371. A. D. 1356.

While the King was at Chartres, where he was drawing all his Forces together, he was informed that the Prince of Wales with 12000 Men, of which there were but 3000 Natural English, had pillaged Quercy, Avergne, Lemosin, Berry, and was marching to do the same in Anjou, Tourain, and Poitou; he thought fit to cut off his March upon his Retreat, and led his Army along the Loire. The Prince being advertised, left the Road to Tours, and retired by Poitou; but he could not do so speedily, but that the King's Army overtook him within two Leagues of Poitiers. The Prince finding him so near, entrenched himself amongst the Vines and strong thick Hedges, nigh the Place called Mampertuis.

The Battel of Poitiers.

Cardinal de Perigord the Pope's Legate, went often from one Army to the other to prevent them from coming to Blows. [2] Edward offered to pay for all the Damages he had done in his March from Burdeaux; to deliver up all his Prisoners, and not to bear Arms himself, nor any of his Subjects, for seven years time against France. But K. John believing the Victory secure and certain, rejected all his Submissions; and blinded with Passion and Anger, instead of hemming him in, and starving him (which could not have failed in three Days time) went on headlong with the Courage and Fury of a Lion rather than of a Captain, to attack him within his Fastness, the * 19th of September: Nay, by the worst Advice in the World, he caused all his Horsemen to alight, excepting Three hundred select Men, who were to begin the Onset, and the German Cavalry, who had Orders to second them.

The Pope's Legate endeavours to prevent the Battel.

[2] Froys. f. 8. b. cap. 161. The King of France his Confidence destroyed him.

* A. D. 1356. 30 Ed. III.

The thicknes of the Hedges hindred these Three hundred Horse from breaking in upon them; the English-men's bearded Arrows made the Horses mad, and turned them upon the Germans, who fell into the Avant-Guard, and they were totally routed by a Grois of the Enemies, who came forth and charged them during their Disorder.

Of the Four Sons the King had in this Battel, Three of them were a little too soon carried out of the Fray by their Governours, together with 800 Lances; and this gave a fair Pretence of Excuse to all such Cowards as were glad to follow them. There was only Philip the Youngest of the Four, who obstinately resolved to run the Fortune of his Father, and fought by his side.

The King's single Valour sustained the Enemy's Charge a considerable time; and if one fourth part of his Men had but Seconded him, no doubt but he had gained the Victory. At length he yielded himself up into the hands of John de Morebeque an Artesian Gentleman, whom he had banished the Kingdom for some Crime. Philip his Son was taken Prisoner with him. There were but 6000 French killed in this Fatal Day; but of that Number were 800 Gentlemen, and amongst those the Duke of Bourbon,

The King of France yields himself. His Son Philip and several of the French Nobility made Prisoners.

K k

The Prince very kind and civil to the King of France

He carries him to Bordeaux, with a great number of Prisoners.

[3] F. 79. b. cap. 160. The French in this Battle 4 times more than the English.

The English Noblemen that show most Courage in this Battle.

[4] F. 83. a. cap. 164.

A. D. 1357. 31 Ed. III. The King of France brought Prisoner to London.

[5] *Walf.* 172. n. 40. *Knights*, col. 2615. n. 10, 20, &c.

[6] *Holinshed*, 1. 390.

[7] *Froiss.* 1. 1. c. 173. 186 b.

A Truce for two years by the Pope's Mediation.

[8] *Ret. Scot.* 27 Ed. III. M. 2.

[9] *Ibm.* 28 Ed. III. M. 4.

bon, the Duke d'Athenes, Constable, the Marechal de Nesle, and above 50 more of good Quality.

The Young Prince, as Courteous as he was Valiant, Treated the King as his Lord; the same Night he served him at his Table, and endeavoured to allay his Grief and Misfortunes, by the most obliging and becoming Language he could express. The next day fearing this Noble Prey might be snatched from him, and withal observing his Soldiers were so laden with Plunder, that they were incapable of further Service, he took his March towards Bordeaux, and carried away the King and his Son along with him, together with a prodigious Number of Prisoners.

According to [3] *Froissard*, the Men at Arms only, besides others of the French, were four times the Number of the whole English Army, they being Forty eight thousand, divided into three Battels, Sixteen thousand in a Battel; the English Army not being esteemed above Eight thousand, by the Account of Sir Eustace of Ribemont, and Two other Lords, gave to the King of France, having been sent by him to discover their Number.

In this Battel the Earls of Warwick, Suffolk, Salisbury, Stafford, Sir James Audley, Sir John Chandos, Sir Reginald de Cobham, &c. behaved themselves very bravely; but beyond others, the Earl of Warwick, Sir James Audley, and Sir John Chandos. And as 'tis said by *Froissard*, [4] the Prince of Wales, who was Courageous and Cruel as a Lion, took that Day great Pleasure to Fight, and to chafe his Enemies. His Courage and Conduct, with the Assistance of those about him, was in this Battel most certainly very extraordinary and wonderful.

On the 5th of May next Year, the Prince of Wales arrived at Plymouth, with his Noble Prisoners the [5] King of France and his Son, where, and in his Passage from thence to London, he was treated with much Honour and Respect, and on the 24th of the same Month, had a Publick Entrance made him into that City, and was Lodged in the Palace of the Savoy, the King, Queen, and Great Men often making him Visits. [6] Here he staid until toward the next Spring, when he was removed to Windsor-Castle, where he and his Son passed the Time in Hawking and Hunting, and toward Winter returned to the Savoy.

Soon after the King of France his [7] Arrival in England, the Pope sent the two Cardinals of Perigord and St. Tital, into England, to mediate a Peace between the Two Kingdoms; but without effect: Yet so far they prevailed, as to procure a Truce until the Feast of St. John Baptist, which was to be in the Year 1359. or 33d of Edward III. out of which Philip of Navarre, the Countess of Montfort, and Dutchy of Britan, were excepted.

Before this, by the Mediation of Joan Queen of Scots (or, as 'tis phrased in the Record, Consort to David Brus his Prisoner) Sister to King Edward, who in the 27th of his Reign had his Leave to come into England to her Husband, with moderate Attendance (*cum moderata Familia*) and upon the Prayer of David Brus his Prisoner, the Prelates, Great Men, and Commons of Scotland [9] (*ala Priere David de Brus nostre Prisoner, & des Prelates, Granz & Communes Descoce*) he granted to Treat with them

them about his Deliverance: And thereupon sent to Newcastle upon Tyne the Bishop of Duresme, William de Bohun Earl of Northampton and Constable of England, Gilbert d'Umfreyville Earl of Arnegos, the Lords de Percy and de Nevill, William Baron of Greystock, and Henry le Scrop, his Commissioners, with full Power to Treat with the Bishop of St. Andrews and Brechin, Patrick of Dunbar Earl of the March of Scotland, the Abbot of Dumfermelin, and Master Walter de Moffet Arch-Deacon of Leonesse, Commissioners for Scotland: Where it was [1] Agreed,

1. That David should be Ransomed and set free for Ninety thousand Merks of Sterling Silver, to be paid in Nine Years by equal Payments; the first whereof to begin at the Purification of the Virgin next coming, after the Date of the Treaty, or within Fifteen days after; and to be made at Berwic, if in the hands of the English, otherwise at Norham-Castle in Northumberland, not far from thence.

2. That there should be a Truce upon sufficient Security, by Instruments and Oaths between King Edward and all his People of England, Scotland, and the Isle of Man, and David de Bruys; and all the other People of Scotland, and their Adherents by Land and by Sea, in all Places, without Fraud or Deceit, until the said Sum was fully paid; and that Edward de Balliol, and other his Allies and Adherents, should be comprised within the Truce.

3. That all People of one Part, and the other, during the Truce, might Negotiate, and have intercourse one with another, by Land and by Sea, except Castles and Fortified Towns and Places: And, that if during the Truce, any Country, Town, Land, Burgh, Possession, Castle, or Person, of what Estate or Condition soever he was at the Day of making this Agreement, should be taken or received into the Faith or Peace of one Party from the other (soit pris ou receu de une Foi ou Pees a l'autre) that full Restitution should be made, without Delay, Contradiction, or Fraud, the same Hour they were demanded.

4. That for the Payment of the Money according to the Agreement, David was to send Twenty Hostages into England, who were Twenty of the Eldest Sons and Heirs of the Earls and Best Men of Scotland, named in this Article, to remain there until the Money was paid, &c.

5. That the said David, and the other Great Men of the Kingdom of Scotland, as well Bishops and Prelates, as other Lords of the Land, should be bound by Letters and Oaths in the best manner and form could be devised, for the Payment of the Money, and Observation of the Truce: And that the Merchants and Communes of Aberdeen, Dundee, Perth, and Edinburgh, should be bound accordingly for themselves and all other Merchants of that Kingdom, for the Performance of the Payment and Truce.

6. That if the said David, or others that should be bound for the Payment of the Money, should fail of Payment of any of the Terms, then the Body of David was to be re-entred into the Castle of Norham, within three Weeks after every Failure, there to remain until the Sum was paid.

7. That if there should be any Rebels in Scotland against David (item in cas que aucuns Rebelz Descoce soient contre le dir David) they should not be received, maintained, or supported by any in the Faith of King Edward: Or if any in the Faith of King Edward

K k 2

Commissioners appointed to treat about the Deliverance of David Bruce.

[1] *Ibm.*

His Ransom 90000 Merks, to be paid in 9 years.

A Truce for 9 years between England and Scotland; with the Articles.

should

should rise or rebell against him, or his Officers, he should not be received, maintained, or supported by the said David, or any in his Faith or Legiance.

8. By the Advice and Assent of the Prelates, Great Men, and Sages of the Kingdom, King Edward accepted the Treaty, and promised and granted in Good Faith, That if David, the Prelates, Great Men, and others of Scotland of his Party, would observe and perform as much as belonged to them, the Things treated and agreed upon, That he would also keep and perform, and cause to be observed the same, without Fraud or Deceit, according to the Purport of the Treaty. In Witness and Confirmation whereof, King Edward made his Letters Patents, Dated at Westminster on the 5th of October.

[2] Hist. Berth. f. 326 b. n. 50. A new Treaty.

[3] Ret. Scot. 31. Ed III. M. 2. D. 1357. The Commissioners on both sides.

The Articles of a 10 years Truce, K. David to be released.

This and the former Truce to be observ'd.

[4] Hist. Berth. u. supra. n. 60, 70, 82. K. David punished such as deserted him at the Battel of Durham.

This Treaty, and all others before, proved ineffectual, [2] because the Scots would not consent to the Terms and Conditions of the Release: Yet the Endeavours and Mediation before mentioned were continued, and on the Third of October this Year, Commissioners on both sides met at Berwick; for King Edward, [3] John Arch-Bishop of York, Thomas Bishop of Duresme, Gilbert Bishop of Carlisle, Henry de Percy, Ralph Neville, Henry le Scrope, and Thomas Musgrave: For Robert Steward Guardian of Scotland, and the Prelates, Lords, and Commons of that Kingdom, William Bishop of St. Andrews, Thomas Bishop of Catness, Patrick Bishop of Brechin, Chancellor of Scotland, Patrick Earl of March, Robert de Irskyn, and William de Levington, Knights: When it was Agreed,

1. That King David should be Released, set Free, and Ransomed for an Hundred thousand Merks Sterling Money, to be paid yearly by Ten thousand Merks; the first Payment to begin at Midsummer then next following.

2. That there should be a Truce kept and observed in England, Scotland, and the Isle of Man, until the Money was paid: And, That Edward de Baliol, and all King Edward's Allies, should be included in this Truce.

3. That for Payment of his Ransom, Twenty Hostages should be delivered by King David, there named in the Conditions of their Delivery.

4. That King David, the Prelates, and Peers of Scotland, should be bound by Writing and Oath, for Payment of the Money, and Observation of the Truces.

5. That if the Money was not paid as agreed, they should be obliged to return the Body of King David, who was to remain Prisoner while it was paid, according to every Term of Payment. These and some other Articles were the Conditions upon which he was released, after more than Eleven Years Imprisonment.

King David was no sooner returned into Scotland after his Deliverance, but he began to chafte [4] such as deserted him, and left the Field at the Battel of Durham: And first he deprived Robert Stewart of the Right of Succession, and declared Alexander Sutherland (who was his own Sister's Son, his Successor, Robert Stewart being Son to the Daughter of the First Wife of Robert Bruce) and caused all the Nobility of Scotland to Swear Fealty to him:

him: But Alexander dying soon after, he established Robert Stewart in the Succession, according to his Right, and caused the Nobility again to Swear Fealty to him. He took away part of the Earl of the Marches Estate, another Great Officer in the Army, and punished others according to their Deserts.

It is not much to the Purpose of this History what the Troubles and Confusions were in France, and the Miseries of that Nation during King John's Captivity, or rather his Absence only from the French People; they may be seen in the French Historians, by such as desire to know them. The bold Behaviour of the Provost of the Merchants and Parisians against the Dauphin, the Insolence of the Rustics against the Nobility, Gentry, and Citizens in all Places, and their Violence exercised upon the Peasants; the Practices of the King of Navarre against the Dauphin and Government of France, by making Divisions amongst the People, and driving them into Parties and Factions; the Barbarity of the Plundering-People, calling themselves Companions, and of the Soldiers [5] both Foreign and Domestics, who upon Truces made between the Parties, were neither disbanded or paid. All these robbed and pillaged one another, committed Rapin without distinction, wasted and burnt the Countries where they came, until the Dauphin procured himself to be declared Regent of France by the Parlement at Paris [6] in the Year 1358. and some little while after, until the Nation was reduced to some sort of Settlement by that Regency, and Compliance between the Regent and Parlement, which had not been before.

The last-mentioned Truce being expired without hopes of Peace, [7] the King of England and his Son the Prince of Wales, the King of France, and James Earl of Bourbon, only amongst themselves, Treated of, and agreed upon a Peace, and sent the Articles into France to the Duke of Normandy the Dauphin and Regent. He assembled the Prelates, Nobles, and People of the Good Towns; who upon debate of the Terms, resolved to suffer more than they had done, and permit their King to remain Prisoner, rather than to submit to such Articles, as should so much lessen the Power of France. King Edward, at the Return of the Messengers, understanding the Resolution of the French, determined to enter France with such a Force as should make an end of the War, or procure Peace according to his Desire.

To put what he resolved on in execution, he raised an Army such as had not been [8] seen, and sent the Duke of Lancaster before him to Calais. [9] Walsingham says there was Eleven hundred Ships prepared at Sandwich to Transport this Army; from which Port he set sail on the 28th of [1] October, taking with him his Four Sons, [2] Prince Edward, Lionel, John, and Edmund, [3] with most of the Nobility (scilicet Proceres omnes) leaving his young Son Thomas of Woodstock, not then four Years old, Guardian of the Kingdom, with a Council fit to perform that Charge.

Before his [4] Passage, he sent the King of France and his Son from their loose Confinement to the Tower, or more safe Custody, and the rest of the French Prisoners into Places of Security.

The Troubles and Confusions in France during King John's absence.

[5] M. 2. f. 76.

[6] Ib. f. 377.

[7] Froys. lib. 1. c. 201.

A Peace concluded.

The French refuse the Terms.

K. Edward raised a mighty Army.

[3] Froys. lib. 1. c. 201.

[9] 1474. n. 52.

1100 Ships provided to transport that Army.

[1] Claus. 33. Ed. III. M. 9. D. 1.

[2] Froys. u. supra. c. 207.

[3] Wals. lib. 1. c. 3. 6. & 7.

[4] Froys. lib. 1. c. 206.

The King of France and his Son sent to the Tower.

With

[5] lb. C. 209,
210, 211.
[6] *Walsley* 174.
n. 10.

K. Edward
marches into
the middle of
France, burns
and wastes
the Country.
The French sue
for Peace.

[7] *Miszray*,
t. 380.

K. Edward averse.

[9] Lib. I. c.
211.
Was frightened
into it by a
Tempest.

[1] *Rot. Cal.*
de magnis co-
muniis, 3. a.
Ed. III. M. 6.

[1] *Rot. Fran.*
34 Ed. III. M.
11. Dof.
The famous
Treaty of
Bretigny.

[2] *Miszray*,
t. 380.
A Peace made
in 8 days.

[3] *Rot. de Tra-*
ctat. pacis Fran.
34 Ed. III. M.
10. See also
Leibnitz Co-
dict. juris Gen-
erum, from f.
208, to f. 220.

With this Army, [5] he marched into the middle of France, laying all waste as he marched. He was entering [6] Burgundy when the Duke met him, and compounded with him for Seventy thousand *Florens* to spare his Country from Burning and Rapin. The French kept themselves within their Places of Strength, and filled them with Armed Men, and permitted the Country to be harassed and ravaged by this Army.

The Miseries and Desolation of the Kingdom of France at this time, and in this manner, urged the Duke of Normandy and Regent, the Clergy, Nobility, and all sorts of People to be desirous of, and sue for a Peace. [7] Cardinal Simon de Langres the Pope's Legate, the Abbot of Clugny, and the Dauphin's Commissioners, always followed King Edward's Camp, and earnestly solicited for Peace. The [8] Duke of Lancaster, and other Lords, were inclinable to a Peace, and pressed the King to hearken to it: He was averse, putting such Terms upon the French they could not submit to them, until (as [9] *Froissard* tells the Story) being before Chartres, there suddenly happened such a Tempest of Thunder, Lightning, Rain, Hail and Stones, that it killed many of his Men and Horses, when turning towards our Lady's Church there, and steadfastly beholding it, he made a Vow to her to Consent to Peace: And being then Lodged in a Village called Bretigny near Chartres, Commissioners were appointed on both sides to Treat there accordingly.

This Famous Treaty of Bretigny, was managed by [1] the Prince of Wales, and Charles Regent of France, in the Names of both Kings. Commissioners for the English were, Sir Reginald de Cobham, Sir Bartholomew Burghersh, Sir Francis Hale, Banerets; Sir Miles Stapleton, Sir Richard la Vache, and Sir Neel Loring, Knights, with others of the King's Council: On the French Party were, the Elez of Beauves, the Chancellor Charles Lord Momey, Monsieur John de Meingre Marshal of France, Monsieur Aynart de la Tour Lord of Vivoy, Monsieur Ralph de Ravenal, Monsieur Simon de Bucy, Knights, Monsieur Stephen de Paris, and Peter de la Charite, with many others of his Council, named by King John himself.

These Commissioners on both sides [2] met the first of May at Bretigny aforesaid, within a Mile of Chartres, and concluded upon all the Articles of this Peace in eight Days time; which do here follow, Translated from the French, with Notes where they were afterwards altered and corrected by the Two Kings at Calais.

Edward, Eldest Son [3] to the King of France and England, Prince of Wales, Duke of Cornwall, Earl of Chester; To all those who shall see these Letters, Greeting: We make you know, That all the Debates and Disorders whatsoever, moved or stirred between our Lord and Father King of France and England, on the one Part; and our Cousins the King, his Eldest Son, Regent of the Realm of France, and all those it may concern on the other Part. For the Good of Peace, it is Agreed, the 8th Day of May, 1360. at Bretigny near Chartres, in the manner following:

I. 'First,

1. 'First, [4] That the King of England, with what he holds in Gasconne and Guyen, shall have for him and his Heirs for ever, all those Things which follow, to hold them in the same manner the King of France, or his Son, or any of his Ancestors Kings of France, held them: That is to say, Those in Sovereignty in Sovereignty, and those in Demain in Demain, according to the time and manner hereafter declared. The City, Castle, and Earldom of Poitiers, with the whole Land and Country of Poitou; together with the Fief of Thouars, and Land of Belleville; the City and Castle of Xaintes, and the whole Land of Xaintonge, on this side and beyond the River of Charente; the City and Castle of Agen, and the Land and Country of Agenois; the City and Castle, and whole Earldom of Perigot, and the Land and Country of Perigoux; the City, Castle, and whole Earldom of Limoges; the Land and Country of Limozin; the City and Castle of Cahors, and the Land and Country of Cahorsin; the City and Castle, and Country of Tarbe, and the Land and Earldom of Bigorre; the Earldom, Land, and Country of Gaure; the City and Castle of Angoulesme, and the Earldom, Land, and Country of Angoulesmois; the City and Castle of Rodes; the Land and Country of Rouergne. And if there be any Lords, as the Earl of Foix, the Earl of Armagnac, the Earl of Lisle, the Earl of Perigot, and Viscount of Limoges, or others, which hold any Lands within the Bounds of these Places, they shall do Homage to the King of England, and all other Services and Devoirs due by reason of their Lands, in the same manner they did in times past.

The First Article was corrected; and in instead of the Words, Those in Sovereignty in Sovereignty, were inserted these, Those in Fee in Fee.

2. 'Also the King of England shall have all that any of the Kings of England anciently held in the Town of Monstrel upon the Sea, with their Appurtenances.

3. 'Also the King of England shall have all the County or Earldom of Ponthieu entirely; save and except, That if any thing of the said County or Appurtenances have been alienated by the Kings of England for the time being, and to other Persons than the Kings of France, the King of France shall not be obliged to render them to the King of England: And if the said Alienations have been made to the Kings of France for the time being without mean, and he doth possess them at present, they are entirely to be released to the King of England; except the Kings of France had them by Exchange for other Lands of the Kings of England, then both were to release. But if the Kings of England for the time being, had alienated any thing to other Persons than to the King of France, and afterwards they came into his hands, he shall not be obliged to render them. Also if the things aforesaid owe Homage, the King of France shall convey them to others, who shall do it for the King of England: And if they do not owe Homage, the King of France shall appoint a Trustee or Tenant to perform the Devoir, within one Year after he shall part from Calais.

4. 'Also

4. 'Also the King of England shall have the Castle and Town of Calais, the Castle, Town, and Seignurie of Merk, the Towns, Castles, and Lordships of Sangate, Colongue, Hames, Wale and Oye, with Lands, Woods, Marthes, Rivers, Rents, Lordships, or Seignuries, Advowsons of Churches, and all other Appurtenances lying between the Meefes and Bounds following; That is to say, from Calais by the Course of the River that goes before Graveling, and also by the Course of the same River round about Langle, and by the River which goes beyond the Poil, and by the same River that falls into the great Lake of Guisnes, and so to Fretun, and from thence by the Valley about the Hill Calcely, inclosing that Hill, and so to the Sea, with Sangate and all the Appurtenances.

5. 'Also the King of England shall have the Castle, Town and County or Earldom of Guisnes, with all the Lands, Towns, Castles, Forteresses, Places, Men, Homages, Lordships, Woods, Forests, and the Rights of them, as intirely as the Earl of Guisnes, lately dead, had them at the time of his death, and the Churches and good People being within the Limits of the County of Guisnes, of Calais, and Merk, and other Places above said, shall obey the King of England, as they obeyed the King of France, or Earl of Guisnes for the time being; All which things of Merk and Calais, contained in this and the precedent Article, the King of England shall hold in Demain, except the Heritages of the Churches, which shall remain to them intirely where-ever they be; and also except the Heritages of other People, of the Country of Merk and Calais lying out of the Town of Calais, to the value of an Hundred Livres of yearly Rent, or under, of Current Money of the Country, which shall remain to them. But the Habitations and Heritages being in the Town of Calais, with their Appurtenances, shall be to the King of England in Demain, to dispose of them at his pleasure; and also the Inhabitants in the County Town and Lands of Guisnes, shall enjoy all their Demains intirely, and shall wholly be returned to them, saving what hath been said concerning the Borders, Meets, and Bounds in the precedent Article.

6. 'Also 'tis agreed the King of England and his Heirs shall have and hold all the Isles adjacent to the Lands, Countreys, and Places before named, together with all other Isles, which he holds at present.

7. 'Also 'tis agreed the King of France, and his Eldest Son the Regent, for them, their Heirs and Successors, as soon as they can without deceit, and at furthest by the Feast of St. Michael, in one year after the same Feast next coming, shall render, transfer, and deliver to the King of England, his Heirs and Successors, all Honours, Obediences, Homages, Ligeances, Vassals, Fees, Services, Recognisances, Mere, and Mixt Empire, and all manner of Jurisdiction high and low, Reforts, Safeguard, Collations and Patronages of Churches, and all manner of Seignuries, and Soverainties, and all the Right they have, or can have, appertains, or can appertain, to them, by what Cause, Title, or Colour of Right soever, or to the Kings and Crown of France, by reason of the Cities, Countreys, Towns, Castles, Lands, Countreys, Isles and Places before named, and all

'their

'their Appurtenances and Dependences, and every one of them, where-ever they are, without retaining any thing to them or their Heirs and Successors, or to the Kings or Crown of France. And also, That the King, and his Eldest Son, should send their Letters Patents to all the Arch-Bishops, Bishops, and all other Prelates of Holy Church, and to the Earls, Viscounts, Barons, Noblemen, Citizens and others of the Cities, Lands, Countreys, Isles and Places before-named, that they should obey the King of England and his Heirs, and their certain Command, in the same manner they had obeyed the Kings and Crown of France; and by the same Letters they should quit and absolve them after the best manner they could, from all Faiths, Homages, Oaths, Obligations, Subjections and Promises made by any of them to the Kings and Crown of France, in what manner soever.

This Article was corrected; The Word (Reforts) being left out in the Correct Copy, and these Words or Sentence (and all manner of Seignuries, and Soverainties) and these Words or Sentence (without retaining any thing to them or their Heirs and Successors, or to the Kings or Crown of France) also the last Words (in what manner soever.)

8. 'Also it is agreed, That the King of England shall have the Cities, Countreys, Castles, Lands, Countries, Isles, and Places before named, with all their Appurtenances and Dependences, where-ever they are, to hold to him, his Heirs, and Successors, heritably and perpetually in Demain, as the Kings of France held them, and in the same manner, saving what hath been said above, in the Article of Calais and Merk; and also the Cities, Castles, Countreys, Lands, Countreys, Isles, and Places before named, Rights, Mere and Mixt Empire, Jurisdiction and Profits whatever, which any Kings of England held there, with their Appurtenances and Dependences, any Alienations, Donations, Obligations, or Incumbrances, had, or done by any of the Kings of France, in Seventy years from that time, by whatsoever Cause or Form it was, all such Alienations, Donations, Obligations or Incumbrances, are now, and shall be wholly annulled, repealed, and made void: And all things so given, alienated, or incumbered, shall be really rendred and delivered to the King of England intirely, and in the same Condition they were Seventy years since, or to his special Deputies, as soon as they may without fraud; and at furthest before Michaelmas next come twelve-months, to hold them heritably and perpetually, and to his Heirs and Successors, except what is said in the Article of Ponthieu, which is to remain in its force, and saving all things given and alienated to Churches, which shall peaceably remain to them in all Countries before and after named, so as the Parsons of the Churches pray diligently for the Kings as for their Founders, wherewith their Consciences shall be charged.

9. 'Also it is agreed the King of England shall have and hold all the Cities, Countreys, Castles, and Countreys above-named, which anciently the Kings of England had not, in the same Estate as the King of France and his Sons hold them at present.

L 1.

10. 'Also

10. 'Also it is agreed, That if within the Limits of the Countreys the Kings of *England* anciently possessed, they should now have any thing that was not then theirs, of which the King of *France* was in possession on the 19th of September 1356, they shall be and remain to the King of *England* and his Heirs as above-said.

11. 'Also it is agreed, That the King of *France* and his Eldest Son the Regent, for them and their Heirs, and for the Kings of *France* and their Successors for ever, as soon as they could without deceit, and at furthest before Michaelmas 1361, should render and deliver to the King of *England*, his Heirs and Successors, and transfer to them all the Honours, Ligeances, Obediences, Homages, Vassals, Fees, Services, Recognisances, Oaths, Right, Mere and Mixt Empire, all manner of Jurisdiccions high and low, Reforts, Safeguards, and Seigneuries, which can or may belong in any manner to the Kings or Crown of *France*, or to any other Person by reason of the King, or Crown of *France*, at any time, in the Cities, Counties, Castles, Lands, Countreys, Isles and Places above-named, or in any of them, their Appurtenances and Appendances whatsoever, or in Persons, Vassals, Subjects, or whosoever of them, be they Princes, Dukes, Earls, Vicounts, Arch-Bishops, Bishops, and other Prelates of the Church; Barons, Noblemen, and others whosoever, without reserving or retaining any thing to them, their Heirs and Successors, or to the Crown of *France* or others, whatever it be, whereby they, their Heirs, and Successors, or any Kings of *France*, or other Person, under pretence of the King and Crown of *France*, may challenge, and demand any thing in time to come, from the King of *England*, his Heirs and Successors, or upon any of the Vassals and Subjects aforesaid, by reason of those Countreys and Places: Also all the before named Persons, their Heirs and Successors, shall for ever be the Liegemen and Subjects of the King of *England*, his Heirs and Successors; and that he and they shall hold all the Persons, Cities, Counties, Lands, Countreys, Isles, Castles, and Places afore named, and all their Appurtenances and Appendances, and they shall be and remain to them fully, perpetually, freely, in their Seigneury, Sovereignty, Obedience, Ligeance, and Subjection, as the Kings of *France* had and held them in any time past; and that the said King of *England*, his Heirs and Successors, shall have and hold perpetually all the Countreys before named, with their Appurtenances and Appendances, and other things before named, with all perpetual Franchises and Liberties, as Sovereign and Liege Lord, as Neighbour to the King and Realm of *France*, without acknowledging any Sovereign, or performance of any Obedience, Homage, Refort, Subjection, and without doing in any time to come any Service, or making Recognisance to the King or Crown of *France*, for the Cities, Counties, Castles, Lands, Countreys, Isles, Places, and Persons before named, or for any of them.

This Article was Corrected, and at least Two Parts of Three left out of the Corrected Letter (as then called) or Copy, the whole Article there being no more then what follows:

'Also,

'Also, it is agreed, That the King of *France*, and his Eldest Son the Regent, for them, and their Heirs, and for the Kings of *France* and their Successors for ever, as soon as they can without fraud, and at furthest before Michaelmas 1361, shall render and deliver to the King of *England*, his Heirs and Successors, and transfer to them, all the Honours, Ligeances, Obediences, Homages, Vassals, Fees, Services, Recognisances, Oaths, Right, mere and mixt Empire, all manner of Jurisdiccions high and low, Safeguards and Seigneuries, which can or may belong in any manner, to the Kings or Crown of *France*, or to any other Person by reason of the King and Crown of *France*, (ou a aucun autre person a cause du Roy & de la Couronne de France) at any time in the Cities, Counties, Castles, Lands, Countreys, Isles and Places above-named, or in any of them; their Appurtenances, and Appendances, whatsoever, or in Persons, Vassals, Subjects, or whosoever of them.

12. 'Also, it is agreed, That the King of *France* and his Eldest Son, shall renounce expressly all Reforts and Sovereignties, and all the Right they have or can have in all those things, which by this Treaty ought to belong to the King of *England*. And in like manner he and his Eldest Son shall renounce, expressly all those things, which by this Treaty ought not to belong or be delivered to him, and all demands he makes of the King of *France*, and especially to the Name, and to the Right of the Crown of the Kingdom of *France*, and to the Homages, Sovereignty, and Demain of the Dutchy of Normandy, the Dutchy of Tourain, the Counties of Anjou and Main, the Sovereignty and Homage of the Dukedom of Bretagne, and the Homages and Sovereignties of the Country and County of Flanders, and all other Demands, he can or shall make of the King of *France*, for what Cause soever, except what by this Treaty ought to remain and be delivered to the King of *England* and his Heirs; and one King shall part with, Release and Transfer to the other perpetually all the Right which either of them hath, or can have, in all the things which by this Treaty ought to remain and be delivered to each of them; and of the time and place where and when the said Renunciations shall be made, the Two Kings shall agree and appoint when they meet at Calais.

This Article was intirely left out of the Treaty corrected at Calais, when the Two Kings met there.

13. 'Also, it is agreed, That to the end this Treaty may speedily be accomplished, that the King of *England*, shall bring the King of *France* to Calais, within three weeks after Midsummer, (there being no just hindrance) at his own Expence.

14. 'Also, it is agreed, That the King of *France* shall pay to the King of *England*, Three Millions of Crowns of Gold, whereof Two shall be of the value of a Noble of English Money; whereof 600000 Crowns shall be paid to him or his Deputies, within four Months after the King of *France* shall arrive at Calais, and within a year following 400000 Crowns to be paid at London, and to every year 400000 Crowns to be paid there until the whole was discharged.

15. 'It is also agreed, That for the Payment of the 600000 Crowns at Calais, and for the delivery of the Hostages hereafter named, within four months after the King of France shall be come to Calais, the Town, Castle, and Fortresses of Rochell, the Castles, Fortresses, and Towns of the County of Guines, shall be rendered to the King of England, with all their Apperteneances, and Appendences; and the Person of the King of France shall be delivered out of Prison, but he is not to Arm himself or People against the King of England, but is to accomplish what was to be done by this Treaty; And the Hostages were the great Prisoners taken at the Battel of Poitiers, and these following:

'That is to say, Monsieur Lewis Earl of Anjou, Monsieur John Earl of Poitiers, the King's Son, the Duke of Orleans the King's Brother, the Duke of Bourbon, the Earl of Blois, or his Brother, the Earl of St. Paul, the Earl of Alanson, or Monsieur Peter of Alanson his Brother, the Earl of Harcourt, the Earl of Portien, the Earl of Valentinois, the Earl of Briene, the Earl of Vandemont, the Earl of Forcé, the Viscount Beaumont, the Lord of Concy, the Lord of Fienne, the Lord of Preaux, the Lord of St. Venant, the Lord of Garencieres, the Dauphin of Avergne, the Lord of Hangeft, the Lord of Montmorency, Monsieur William de Craon, Monsieur Lewis of Harcourt, Monsieur John de Ligny. The Names of the Prisoners taken at Poitiers were these:

'Monsieur Philip of France, the Earl of Eu, the Earl of Longueville, the Earl of Pontieu, the Earl of Joigny, the Earl of Saucene, the Earl of Dammartin, the Earl of Ventadour, the Earl of Salbruche, the Earl of Auxerre, the Earl of Vendosme, the Lord of Craon, the Lord of Darnalt or Rual, the Marshal of Danchean, or d'Andenham, the Lord of Aubigny.

16. 'Also, it is agreed, That the Prisoners aforesaid, which come to remain in Hostage for the King of France, shall therefore be delivered out of Prison, without paying any Ransom, according to Agreement made before the 3d of May last past; and if any of them be out of England, and not in Hostage at Calais, within the first month after the said three weeks, after Midsummer, without just hindrance, he shall not be quit of his Imprisonment, but be forced by the King of France to return into England, and there remain Prisoner, or pay the Penalty by him promised and incurred, for not returning.

17. Also, it is agreed, That in stead of those Hostages, which shall not come to Calais, or shall dye, or shall remove out of the Power of the King of England, the King of France shall deliver others of the same Quality, as soon as may be within four months after the Bayly of Amiens, and the Major of St. Omer, upon the King of England's Certificate, shall have notice thereof; and the King of France, upon his departure from Calais, may have in his Company Ten of the Hostages, such as the Two Kings shall agree upon, so as Thirty may remain.

18. 'Also, it is agreed, That the King of France, within three months after he shall be gone from Calais, shall send thither, to remain in Hostage, Four Persons (de la ville de Paris) of the Town of Paris, and Two of every Town following, of St. Omer, Arras, Amiens, Beauvais, Lisle, Doway, Tournay, Remes, Chaulons,

'Chaulons, Troyes, Chartres, Tholoufe, Lyon, Orleans, Compiègne, Rouen, Caen, Tours, Bourges; The most sufficient of these Towns for the Accomplishment of this Treaty.

19. Also, it is agreed, That the King of France shall be brought from England to Calais, and remain there for four months, but shall pay nothing the first month for his Guard and Keeping, but for every one of the other months he shall remain there, he shall pay 6000 Royals, as they shall be then current in France, before his departure from Calais, and so afterwards for the time he stays there.

20. 'Also, it is agreed, That as soon as may be, within a year after the King of France is departed from Calais, Monsieur John Earl of Montfort, shall have the Earldom of Montfort, with all its Apperteneances, doing Homage Liege to the King of France, and his Devoir and Service in every Case as a good and Loyal Vassal Liege ought to do to his Liege Lord by reason of his Earldom; and also his other Heritages shall be rendred to him; that belong not to the Dutchy of Bretagne, doing Homage and other Dues belonging to them; And if he will demand any thing in any of the Heritages belonging to that Dutchy, out of the Country of Bretagne, he shall receive good and speedy Reason from the Court of France.

21. 'Also upon the Question of the Demain of Bretagne, which is between Monsieur John de Montfort, and Monsieur Charles de Blois, it is agreed, That the Two Kings calling before them or their Deputies, the Parties Principals, they shall inform themselves of their Right, and shall indeavour to make them agree about all that is in Debate between them, as soon as they can: And in case neither the Kings, or their Deputies, can make an Agreement within a year after the King of France shall arrive at Calais, Friends on both sides may make the best Agreement between them they can, and as soon as they can, and if they cannot compromise the Matter within half a year, they shall make Report thereof, and what they find concerning the Rights of each Party, and why the Debate remains between them, to the Two Kings or their Deputies; and then they as soon as may be, shall make an Accord, giving their final Sentence upon the Right of each Party, which shall be executed by the Two Kings; and in case they cannot end the Controversy in half a year, then the Two Principal Parties of Blois and Montfort shall do what seems best to them, and the Friends of one Part and the other, shall assist which Part they please, without hinderance of the said Kings, or without receiving any Damage, Blame, or Reproach from them; and if it happen that one of the Parties will not appear before the Kings or their Deputies, at the time appointed, and also in case the Kings or their Deputies shall declare an Accord between the Parties, and shall give their Opinion of the Right of one Party, and either of the Parties will not consent to, and obey the Declaration, then the said Kings shall be against him with their whole Power, and in Aid of the other which shall comply and obey; But the Two Kings shall not in any Case in their proper Persons, or by others, make War upon one another, for the Cause aforesaid, and the Sovereignty and Homage of the Dutchy shall always remain to the King of France.

Here seems to be some inconsistency in this part of the Article; but it is a true Verbal Translation from the French.

22. 'Also, That all the *Lands, Towns, Countries, Castles*, and other *Places* delivered to the *King*, shall enjoy such *Liberties* and *Franchises* as they have at present, which shall be confirmed by the said *Kings* or their *Successors*, so often as they shall be duly required, if they be not contrary to this Accord.

23. 'Also, the *King* of *France* shall render, or cause to be rendered, and confirm to *Monsieur Philip* of *Navarre*, and to all his *Adherents*, after this time, as soon as may be, without Deceit, and at furthest within a Year after the *King* of *France* shall be gone from *Calais*, all the *Towns, Fortresses, Castles, Lordships, Rights, Rents, Profits, Jurisdictions*, and *Places* whatever, which he in his own Right, or in Right of his Wife, or his *Adherents*, held or ought to hold in the *Kingdom* of *France*: And that he shall not do them any *Damage* or *Injury*, or reproach them for any thing done before that time, and shall pardon them all *Offences* and *Misprisions* for the time past, by reason of the *War*; and for this they shall have good and sufficient *Letters*, so as the said *Monsieur Philip* and his *Adherents* return to their *Homage*, and perform their *Devoirs*, and be Good and Loyal *Vassals*.

24. 'Also, it is accorded, That the *King* of *England* may give, for this time only, to whom he please the *Lands* and *Heritages* that were *Monf. Godfrey de Harecourt's*, to hold of the *Duke* of *Normandy*, or other *Lords* of whom they ought to hold, by *Homage* and *Services* anciently accustomed.

25. 'Also, it is agreed, That any *Man* or *Country*, under the *Obedience* of one *Party*, shall, by reason of this Accord, go under the *Obedience* of the other *Party*, he shall not be impeached for any thing done in time past.

26. 'Also, it is agreed, That the *Lands* of the *Banished*, and *Adherents* of one *Party* and the other, and the *Churches* of one *Party* and the other, and all those that are disherited and outed of their *Lands*, or charged with any *Pension*, *Tax*, or *Imposition*, or otherwise in any manner charged by reason of the *War*, shall be restored entirely to the same *Rights* and *Possessions* which they had before the *War* began; and that all manner of *Forfeitures*, *Trespases*, or *Misprisions*, done by them, or any of them in that time, shall be wholly pardoned; and these things to be done so soon as they well can, or at furthest within one Year after the *King* shall leave *Calais*, except what is said in the *Article* of *Calais* and *Merk*, and the other *Places* named in that *Article*; except also the *Viscount* of *Fronsac*, and *Monf. John Gaillard*, who are not to be comprised in this *Article*, but their *Goods* and *Heritages* shall remain as they were before this *Treaty*.

27. 'Also, it is agreed, That the *King* of *France* shall deliver to the *King* of *England*, as soon as well he may, and at furthest within one Year after his *Departure* from *Calais*, all the *Cities, Towns, Countries*, and other *Places* above-named, which by this *Treaty* ought to be delivered to him.

28. 'Also, it is agreed, That upon *Delivery* of the *Towns, Fortresses*, and whole *County* of *Ponthieu*; the *Towns, Fortresses*, and whole *County* of *Montfort*; the *City* and *Castle* of *Xaintes*; the *Castles*,

Castles, Towns, Fortresses, and all the *King* held in *Demain* in the *Country* of *Xaintogne*, on both sides the *River* *Charente*; the *City* and *Castle* of *Angoulême*, and the *Castles, Fortresses*, and *Towns* which the *King* of *France* held in *Demain* in the *Country* of *Angoumois*, with *Letters* and *Commands* of *Releasing* of *Faith* and *Homage* to the *King* of *England*, or his *Deputies*. He at his proper *Cost* and *Charge* shall deliver all the *Fortresses* taken and possessed by him, his *Subjects*, *Adherents*, and *Allies*, in the *Countries* of *France*, of *Anjou*, of *Main*, of *Berry*, *Auvergne*, *Burgogne*, *Champagne*, *Picardy*, and *Normandy*, and in all other *Parts* and *Lands* of the *Kingdom* of *France*; except those of the *Duchy* of *Bretagne*, and those *Countries* and *Lands* by this *Treaty* which ought to be and remain to the *King* of *England*.

29. 'Also, it is agreed, That the *King* of *France* shall give up, and deliver to the *King* of *England*, his *Heirs*, or *Deputies*, all the *Towns, Fortresses, Castles*, and other *Lands, Countries*, and *Places* before named, with their *Appertinances*, at his proper *Costs* and *Charge*: And also if he shall have any *Rebels*, or *Disobedient*, that will not render and give up to the *King* of *England* any *Cities, Castles, Towns, Countries, Places*, or *Fortresses*, which ought to belong to him, the *King* of *France* shall be bound to cause them to be delivered at his own *Expence*: And likewise the *King* of *England* shall cause to be delivered at his *Expence* the *Fortresses* that by this *Treaty* ought to belong to the *King* of *France*. And the said *Kings*, and their *People*, shall be bound to Aid one another, when they shall be required, at the *Wages* of the *Party* that shall require it, which shall be one *Florin* of *Florence* a *Day* for a *Knight*, and half a *Florin* for one *Escuyer*, and to others. And it is Agreed, That if the *Wages* be too small, in regard of the *Rate* of *Provisions* or *Victuals* in the *Countries*, they shall be ordered by Four *Knights* chosen for that purpose, Two of one *Party*, and Two of the other.

30. 'Also, it is agreed, That all the *Arch-Bishops, Bishops*, and other *Prelates* and *Men* of Holy *Church*, by reason of their *Temporalities*, shall be subject to that *King* under whom they hold their *Temporalities*; and if they have *Temporalities* under both *Kings*, they shall be subject to each *King* for the *Temporality* they hold of him.

31. 'Also, it is agreed, That Good *Alliances*, *Amities*, and *Confederacies* be made between both the *Kings* and their *Kingdoms*, saving the *Conscience* and *Honour* of one *King* and the other, notwithstanding any *Confederacies* they have made on this side or beyond the *Sea*, with any *Persons*, be they of *Scotland* or *Flanders*, or any other *Country*.

32. 'Also, it is agreed, That the *King* of *France* and his *Eldest Son* the *Regent*, for them and for their *Heirs Kings* of *France*, as soon as it may be done, shall declare themselves, and depart from all the *Confederacies* they have with the *Scots*, and promise, That they nor their *Heirs*, nor the *Kings* of *France* for the time being, shall give or do to the *King* or *Realm* of *Scotland*, nor the *Subjects* thereof present and to come, any *Aid*, *Comfort*, or *Favour*, against the *King* of *England*, his *Heirs* and *Successors*, nor against the *Kingdom*, nor against the *Subjects* in any manner;

manner; and that they make not other Alliances with the Scots in time to come, against the *Kings* and *Kingdom* of *England*. And in like manner, as soon as it may be done, the *King* of *England* and his *Eldest Son* shall declare themselves, and depart from all *Alliances* they have with the *Flemmings*; and so on in the same Words and Things concerning them, as the *King* of *France* engaged to do in respect of the *Scots*.

33. 'Also, it is agreed, That the *Collations* and *Provisions* made of *Benefices*, vacant in time of the War by one Party and the other, shall hold and be good; and that the *Costs*, *Issues*, and *Revenues*, received and levied of any *Benefices*, or other things *Temporal* whatever, in the *Kingdoms* of *France* and *England*, by one Party or the other, during the Wars, shall be quitted by one Party and the other.

34. 'Also, That the *Kings* above-said shall be bound to cause to be confirmed all the Things above-said by our Holy Father the *Pope*; and they shall be made sure, and strengthened by *Oaths*, *Sentences*, and *Censures* of the *Court* of *Rome*, and all other *Places*, in the most strong manner that can be; and there shall be obtained *Dispensations*, *Abolutions*, and *Letters* from the *Court* of *Rome* for perfecting this *Treaty*, and they shall be delivered to the Parties, at furthest within three *Weeks* after the *King* shall be arrived at *Calais*.

35. 'Also, That all the *Subjects* of the said *Kings*, which come to *Study* in the *Universities* and *Places* of *Study* in the *Kingdoms* of *France* and *England*, shall enjoy the *Privileges* and *Liberties* of those *Places* and *Universities*, as well as they might have done before the War, or as they do at this present.

36. 'Also, it is agreed, That to the end the Things debated and treated of as above, may be more established, firm, and valuable, there shall be made and given the *Securities* which follow: That is to say, *Letters* (or *Instruments*) sealed with the *Seals* of both *Kings* and their *Eldest Sons*, the best that can be made or directed by their *Counsel*. And the said *Kings* and their *Eldest Sons*, and other *Sons* shall swear, and also those of their *Lineage*, and other great Men of their *Kingdoms*, to the number of *Twenty* on each side, That they will observe and keep, and help in the keeping of the Things treated and agreed, inasmuch as shall concern them, and without *Fraud* or *Deceit* shall accomplish them, without ever doing any thing to the contrary, and without any hindrance of the same. And if there shall be any of the *Kingdom* of *England* or *France*, which shall be *Rebels*, and will not agree to the Things above-said, the said *Kings* shall use the *Power* of their *Bodies*, *Goods*, and *Friends*, to bring such *Rebels* to *Obedience*, according to the *Form* and *Tenour* of the *Treaty*. And further, the said *Kings*, their *Heirs*, and *Kingdoms*, shall submit themselves to the *Courtesy* of our Holy Father the *Pope*, that he may constrain by *Sentences*, *Censures* of the *Church*, and all due ways, him that shall be *Rebel*, according to *Reason*. And according to these *Establishments* and *Securities* above-said, both *Kings* and their *Heirs* shall by *Faith* and *Oath* *Renounce* all Wars and *Contention*. And if by *Disobedience*, *Rebellion*, or *Power* of any

any *Subjects* of *France*, or any just Cause, the *King* of *France* or his *Heirs* cannot accomplish all the Things above-said, the *King* of *England*, his *Heirs*, or any for them, shall not make War against the *King* of *France*, his *Heirs*, or *Kingdom*; but both together shall endeavour to bring the *Rebels* into true *Obedience*, and accomplish the Things above-said. And if any of the *Realm* or *Obedience* of the *King* of *England*, will not render the *Castles*, *Towns*, and *Fortresses*, which they hold in the *Realm* of *France*, and obey the *Treaty* above-said, or for just cause cannot do that which by this *Treaty* they ought to do. The *King* of *France*, nor his *Heirs*, nor any for them, shall make War upon the *King* of *England* or his *Kingdom*; but both together shall employ their *Power* to recover the *Castles*, *Towns*, and *Fortresses*; and that all *Obedience* and *Compliance* may be given to the *Treaty*. And there shall be made and given on both sides, according to the nature of the *Fact*, all manner of *Security* that shall be known, or can be devised, as well by the *Pope*, the *College* of the *Court* of *Rome*, as otherwise, holding and keeping the *Peace* perpetually, and all the Things as above agreed.

37. 'Also, it is agreed, That by this present *Treaty* all others, if any have been made before, shall be null and void, and never be any *Advantage* to either Party, nor cause any *Reproach* of one to the other for not observing them.

38. Also the present *Treaty* shall be *Approved*, *Sworn* to, and *Confirmed* by the Two *Kings*, when they shall meet at *Calais*; and after the *King* of *France* shall be gone from thence, and be in his own *Power*, within a *Month* next following, he shall make *Letters* *Patents* of *Confirmation*, and send and deliver them at *Calais* to the *King* of *England*, and receive such and the like from the *King* of *England*.

39. 'Also, it is agreed, That neither *King* shall procure, or cause to be procured, by himself or others, any *Injury* or *Molestation* by the *Church* of *Rome*, or any of Holy *Church* whoever they be, to, or concerning this *Treaty*, towards either of the *Kings*, their *Coadjutors*, *Adherents*, and *Allies*, whoever they be, or their *Lands* or *Subjects*, on occasion of the War, or other thing, or for *Service* the *Coadjutors*, *Adherents*, or *Allies* of either side have performed; or if our Holy Father will do it of himself, both *Kings* shall hinder it, as well as they can without *Deceit*.

40. 'Also the *Hostages* that are to be delivered to the *King* of *England* at *Calais*, the manner and time thereof the Two *Kings* shall there direct.

Note, That in the *Corrected Instrument* or *Letters* of this *Treaty*, the Words *Resort* and *Sovereignty*, are always, and in all *Articles*, omitted, in respect to the *King* of *England's* enjoying them in the *Places* which were to be delivered to him, where in the *uncorrected Articles* and *Instrument* they are given to him.

And then it follows at the latter end, or bottom of the *Articles*:

M m

And

And We King of England aforesaid, having seen and considered the said Treaty made in our Name and for us, for the Good of Peace, and forasmuch as it concerns us, do Agree unto, Ratifie, Confirm, and Approve all Things above-written; and by our Royal Authority, with the Deliberation, Counsel, and Consent of many Prelates and Men of Holy Church, Dukes, Earls, as well of our Lineage, as others, and many Peers of England, as of other Great Barons, Noblemen, Burgeesses, and other Subjects of our Realm, do Consent to, and Confirm the said Treaty, and all Things contained in it: And we Swear, upon the Body of Jesus Christ, in the Word of a King, for us and for our Heirs, to Observe, Accomplish, and Keep it, without ever doing any thing to the contrary, by our self or others. And that we may firmly and perpetually maintain and keep the Things above-said, and every one of them, we bind Us, our Goods present and to come, (nos biens presens & avenir) our Heirs and Successors, to the Jurisdiction and Coercion of the Church of Rome; Willing and Consenting, that our Holy Father the Pope may Confirm all these Things, by giving General Muniti-
ons and Commands for the Accomplishment of them, against Us, our Heirs, and Successors, and against our Subjects, Communities, Colleges, Universities, or particular Persons whatsoever, in pronouncing Sentences General of Excommunication, Suspension and Interdict, to be incurred by us and them, so soon as we or they shall attempt or seize on Fortresses, Towns, Castles, or other Things whatsoever, or shall Do, Ratifie, or Agree unto any thing, or shall give Counsel, Favour, Comfort, or Aid, secretly or openly, against the said Peace: From which Sentences, none to be absolved, until they have given full Satisfaction to all those that shall sustain Damage by such Practices. And further, That this Peace may be more firmly kept for ever, We Will and Consent, That all Agreements, Confederations, Alliances, and Covenants, howsoever they may be termed, any way prejudicial to the said Peace at present, or afterwards, supposing they be valid, and confirmed by Penalties or Oath, or ratified by our Holy Father the Pope, or others, they shall be casted, and made null and void, as contrary to Common Good, and a Peace Common and Profitable to all Christendom, and Displeasing to God. And all Oaths made in such case shall be released, and our Holy Father the Pope shall decree by his Letters, That no Man shall be bound to keep such Oaths, Alliances, or Covenants, and prohibit that no such or the like be made for the future. And if any one shall do to the contrary, it shall at that very moment be null and void; and nevertheless we shall punish them, as Violators of the Peace, in their Bodies and Goods, as the Case and Reason shall require. And if We shall do or procure, or suffer any thing to be done to the contrary (which God forbid) we will be bolden and reputed False and Perjured; and we shall be willing to incur such Blame and Infamy as a Crowned King ought to incur in such case. And We will cause the Things above-said to be Sworn unto, Kept, and Observed by Our most Dear Eldest Son the Prince of Wales, and Our Younger Sons Leonel Earl of Ulster, Edmond of Langley; and Our Cousins Monsieur Philip de Navarre, the Dukes of Lancaster and Bretagne; the Earls of Stafford and Salisbury, the Lord of Manny, Guy de Brian, Reginald de Cobham, the Capital de Bruche, the Lord of Montferrat, James Audley, Roger de Beauchamp, Ralph Ferrers Captain of Calais, Eustace Dambreticourt, Frank van Hall, John de Moubray, Henry de Percy, Nicholas de Tamworth, the Lord of Cominges, Richard de

de Stafford, William Grandison, Ralph Spigurnel, Gaston de Greyly, and William Burton, Knights. And We will also cause to be Sworn in like manner, so soon as We can, our other Children, and the greatest Part of the Churches, Earls, Barons, and other Noblemen of our Realm. Given or Dated at our Town of Calais, under the Testimony of our Great Seal, the 24th of October, in the Year of Grace 1360.

Many Authentick Transcripts of Instruments (or, as they were then called, Letters) concerning this Peace at Breigny, there are upon the Rolls in the Tower of London, in the 34th and 35th Years of Edward III. most of the Originals whereof under the Great Seals of both Kings and their Eldest Sons, are to be found in a thick, long Box, with this Title: *Hic continetur Pax facta Calais, inter Reges & Regna Anglie & Francie, die 24. Octobris, Anno Domini 1360.* within a great Chest in the Chapter-House at Westminster, some of which are here briefly noted:

The Articles of Peace uncorrected, being the same concluded at Breigny the 8th Day of May preceeding, which the King of France delivered to the King of England at Calais, the 24th of October, 1360. with the Attestation of the Abbat of Clugny the Pope's Nuncio, that they were delivered in his Presence, Dated the 25th of the same Month, part of the Label of the Seal remaining at it.

The Articles corrected at Calais, owned by the King of France and his Son, and delivered to King Edward, Octob. 24. in the Presence of the same Nuncio [5] Androynus Abbat of Clugny, whereof his Certificate bears Date the next Day at the same Place, with the Articles recited in it, and his Seal hanging to it with a Parchment Label.

The Articles of Accord between King Edward and John King of France, about the Delivery of Countries, Fortresses, Castles, Towns, and Places one to another, according as they are named in the Treaty of Breigny, and according to the 29th Article of that Treaty, the 7th, 11th, and 12th Articles thereof not being mentioned in this Agreement, King Edward to deliver them to King John, &c. at or before Candlemas next following the Date thereof, and King John to him within a Month after, with the Hostages Names on either side to be given for Performance, and the Names of such as Sware to it on the Part of the King of France, Sealed with his Seal at Calais, Octob. 24. 1360.

Par le Roy,

J. Math.

In these Articles King Edward's Letter of the same Accord is recited.

The King of France his Letter of Renunciation, Testified by the Pope's Nuncio the Abbat of Clugny, in which the Renunciation it self is recited, Dated at Calais October 24. the Nuncio's Testification bearing Date at the same Place the Day follow-

Transcripts and Originals of many Instruments concerning the Treaty at Breigny, where to be found.

The Contents, or a short Account of them. [5] Append. n. 93.

following, with his Seal hanging to it by a Parchment Label.

Note. That by *Renunciation* is meant, the Delivery, Releasing, Cession from, and Transferring of Countries, Cities, Towns, Castles, and Fortresses, with their Rights and Appertences, from and by one King to the other.

The Attestation of the *Pope's Nuncio* of the Peace concluded between *King Edward* and *King John*, with *King Edward's* Renunciation according to the 11th and 12th Articles of the Peace of *Bretigny*, which are inserted in it, as also *King John's* Letter of Renunciation of the same Tenor, both dated at *Calais*, *October* 24, the Attestation bearing date the 25th of the same month at the same place.

[6] Append.
n. 94.

King John's [6] Oath for the performance of the Treaty in many Articles worth notice, dated at *Calais* the 24th of *October* 1360.

Articles of the Peace and Treaty at *Bretigny* confirmed by *King John*, as they were Corrected at *Calais*, dated at *Bologne* the 26th of *October*.

Par le Roy,

J. Math.

This Instrument is much torn, and the Seal gone, but there remains some Red and Green Silk by which it hung.

The *King* of *France* his Letter or Chart, That he will perform all the Articles of the Treaty of *Bretigny*, as they were Corrected at *Calais*, as also all Renunciations, Covenants, &c. contained in one special Deed, Letter or Writing between the Two *Kings*, dated at *Bologne*, *October* 26. with his Seal hanging at it, with Red and Green Silk twisted.

Par le Roy,

J. Math.

Articles of the Treaty and Peace of *Bretigny*, confirmed by *King John* and his Son *Charles* without Correction, both dated at *Bologne*, *October* 26. 1360. *Par Monsieur le Duc*, with his Seal of Green Wax hanging to them. The last Clause whereof runs thus: *And many Articles of the said Accord having been afterwards Corrected at Calais in certain manners, for that the Renunciations which were to be made by one Party and the other according to the said Treaty, were not made purely and simply we being at Calais; (that is, Prisoner, and not in his own Power) We make it known, That we will agree, and are pleased, that afterwards the Cessions, Renunciations, Transports, and Releases, shall be made by one Party and the other, and sent and delivered at Bruges, as it is contained in Letters made about this Matter, sealed with the Seals of us and our Brother, that the same Articles as they were passed and agreed at Bretigny, and as they are above recited, shall be given and delivered to our said Brother, sealed with our Seal, and the Seal of our most Dear Eldest Son Charles Duke of Normandy, and Dauphin of*

Vienne.

Vienne. And this we promise to give and deliver at Bruges one year after the Feast of St. Andrew next coming, (that is, on St. Andrews-Day 1361.) in case that our said Brother shall send us the Renunciations which he is to make on his part, and deliver them to us or our People at the place aforesaid; as also Letters of the Tenors of the said Treaty and others sealed with his Seal, and with the Seal of our Nephew his Son; and we will that the things aforesaid, done and accomplished as aforesaid, the said Articles as above incorporated, (in this Instrument) shall remain in force, and have the same effect for one Party and the other, as if they had not been Corrected. And we promise truly in good Faith, and Swear without Deceit, to keep, observe, and accomplish without fraud what is aforesaid. In Witness whereof we have put to our Seal to these Letters. Given at Bologne upon the Sea the 26th of October, in the year of Grace 1360. And then follows his Son's Confirmation: And we will with all our Power observe and accomplish all that our Lord and Father hath promised and covenanted, engaging truly and in good Faith, and have Sworn, and do Swear upon the holy Body of Jesus Christ, to hold and accomplish as much as shall or may concern us, all and every of the things as written in the Letters above, according to the Manner and Form therein comprised, without doing or causing to be done any thing to the contrary in any manner for the time to come. In Witness whereof we have caused our Seal to be put to these present Letters. Given at Bologne the 26th day of October, in the year of Grace 1360.

Par Monsieur le Duc,

N. de Vienes.

Charles, Eldest Son to the King of France, and Regent, his Confirmation of his Father's Grants, in which is contained the Peace and Treaty of Bretigny, with the Articles as they had been Corrected at Calais, dated at Bologne, October 26. 1360. with his Seal hanging at it with Red and Green twisted Silk.

The great [7] Letter (or Instrument) of Renunciation, according to the Treaty of *Bretigny*, of *John King* of *France*, without Correction of the 7th and 11th Articles, which are intirely recited in it, the 12th Article being wholly omitted, dated at *Bologne*, *October* 26. 1360. his Seal affixed with Red and Green Silk twisted together, and signed *Le Roy*.

[7] Append.
n. 95.

Also his Letters of Renunciation, with the 11th and 12th Articles of the Treaty of *Bretigny* intire, upon Condition *King Edward* and his Son, made their Renunciations, and sent them to the *Augustin Friars* at *Bruges*, sealed with their Seals on the Feast of *St. Andrew*, in one year after the same Feast next coming, dated at *Bologne*, *October* 26. 1360. with his Seal affixed as above, and signed *Le Roy*. These Letters were to be of no effect, if *King Edward* and his Son sent not their Renunciations to the place, and at the time therein expressed.

Charles, Regent of France, his Confirmation of these Letters of Renunciation, without Correction of Articles, and upon the same Conditions, dated at Bologne the 26th of October 1360. Par Monsieur le Duc, with his Seal hanging at it with Green and Red twisted Silk.

The

The King of France his Acknowledgment, the King of England had performed his Agreement in setting him free, dated at St. Omers the first of November, 1360. with his Seal hanging to it as before.

Par le Roy,

J. Mah.

Charles, Duke of Normandy, (King John's Eldest Son) his Certificate of the same thing, dated at St. Omers, Novemb. 2. 1360. Par Monsieur le Duc, with his Seal of Red Wax hanging at it by a Parchment Label.

The Amities, [8] Alliances, and Confederacies, between the Two Kings, confirmed by the Duke and Regent at Bologn, dated October 26. 1360. the Seal affixed with Green and Red twisted Silk; And many other Letters and Instruments there are relating to this Treaty and Peace in this Box, and scattered up and down the Body of the Chest, and more especially particular Letters of Renunciation for every Country, Castle, City, Town, Fortref, and Place mentioned in the Articles of the Peace, which may, with others upon many and divers Subjects, be published in due time by my Worthy Friend Mr. Rymer.

These Letters or Instruments seem to be very dissonant, and almost contradictory one to another, tho dated on the same days and at the same Places, some containing the Articles agreed on at Bretigny, others as they were Corrected at Calais. In like manner the things comprehended in the Letters or Instruments for the accomplishment of this Treaty, were to be performed and executed after a quite different Method, by some according to the Original, by others according to the Corrected Articles; but 'tis not very hard to see thro this Mystery, for both Kings and their Sons, were very strict and exact in Confirming both Copies of the Articles, as they thought themselves obliged by Oath to do, and first confirmed them at Calais before the King of France had his Liberty, and afterwards at Bologn, when he was free from his Imprisonment, yet were not so strict and just in the observation of their Oaths in the performance and fulfilling of them, but used and made their advantage of the different Copies of the Letters and Instruments as they served their turns.

All things at that time, relating to this Peace at Bretigny, that could be, having been finished at Calais and Bologn, the [1] King, his Sons, and others, with the Hostages of France, took Shipping on the Eve of All-Saints, or last of October, and came for England, where the Lords and other [2] Hostages had all the Enjoyments of the City of London, Hawked, Hunted, and Visited the Ladies in the Country without any Restraint, the King's Favour being so great towards them.

It was not long after this, [3] that King Edward sent his Commissioners into France, to take possession of what was granted him, and what he was to enjoy according to the Peace; but several Lords in Languedoc and Gasconne refused at first to be wholly under the Power of the English, notwithstanding the King of

France

[8] Append.
D. 96.

[1] Froissard,
lib. 1. c. 213
f. 108. b.

A. D. 1360.
The King returns
to England with
the Hostages for
the Observation
of the Peace of
Bretigny.

[2] Ibid.
Their Freedom
and Kind Reception
in England.

[3] Ibid. c. 214.
Du Chesne, f.
693. D.

A. D. 1361.
King Edward sent
his Commissioners
into France, to
take Possession
of what had been
agreed on.

France had Released their Faith and Homage, which they affirmed he could not do, nor make them Subjects to another Man; The Lords were the Earls of March, Perrigot, Gominges, Arminac, the Viscounts of Chastillon and Carmaing, the Lords of Pinconnet, and d'Albret; yet at last pressed by the King's Command, and prevailed upon by the King's Cousin James of Bourbon, who was sent Express to them, they obeyed against their Wills.

A The same Difficulties were found in [4] Poisson, and Xantoigne; The Rochellers excused themselves often, praying King John he would not put them out of his Power, that they might come under the power of the English, shewing to him they had rather every year be Taxed to the half of their Goods, then come under their Power, yet at length they submitted; declaring openly, That they would obey, but their Hearts could never be moved. [5] This done, King Edward made Sir John Chandos his Lieutenant, who had possession given him of all the Lands, Countreys, Towns, and Fortresses, which he was to have in France, by John de Maingre Marshal of France, and Received the Fidelity and Homages of all the Earls, Viscounts, Barons, Knights, and Esquires, Towns and Fortresses, making and appointing Seneschals, Bayliffs, Governors, and all Officers, in all Places, in the Name of the King of England; and made his own Residence at Niort, a City in Poisson.

C Then these there were yet greater Difficulties, for notwithstanding what the English and French Commissioners for evacuating the Garrisons held by, or for the English, could do, [6] there were some that would not yield, (but pretended they were employed by the King of Navarre;) There were also many Strangers great Captains, and great [7] Robbers or Pillagers, as Almains, Brabanters, Flemmings, Heynalders, and Gascons, who would not quit their Employments, or the Kingdom of France; but set up for themselves under the Name of Companions; and the Disbanded Soldiers of such as gave up the Garrisons, and freely left their present Employments, ran into them, chose new Captains, and formed themselves into a great Body of Men, [8] so as it was feared in time they might do more Mischief in France, then the War had done. [9] The greater part of their Leaders were English, or at least under the Dominion of the King of England, yet would not obey his Orders, answering they must live by what they got.

E To reduce these, or expel them the Nation, [1] the King of France sent his Cousin James of Bourbon with an Army, which was routed, and himself much wounded, of which Wounds he died three days after. [2] These Companions pillaged and plundered the Countreys, and good Towns, where-ever they came, and by the encouragement of this Victory, or Advantage, they grew very numerous, so as they divided themselves into Two Bodies; one whereof lay at Auce upon the River Saone, not far from Lyons, [3] the other marched down by the River Rhosne, leaving Lyons toward Avignon, and in their way took the Bridge and Town of Holy Spirit within Seven Leagues of that Place, and other Fortresses, making themselves Masters of that River; in this Place they found great Riches, and had contrived to proceed to Avignon, and take it, or bring the Pope and Cardinals under their Mercy.

Several Earls, Viscounts, and Lords, refuse to become his Subjects. Yet at last submit against their Wills.

[4] Ibid. in both.

The same difficulties of non-submission in Poisson, &c.

[5] Froiss. lib. D. 96. f. 694. A. Further Difficulties about Evacuating Garrisons.

[6] Froiss. lib. f. 109. b. Robbers, Plunderers, and Disbanded Officers and Soldiers.

[7] Ibid. Make a great Body, and call themselves Companions.

[8] Ibid. f. 110. a.

[9] Froiss. lib. c. 215. f. 111. a.

James of Bourbon sent with an Army to reduce them.

[2] Ibid. which was routed, and himself killed. They divide into Two Bodies.

[3] Ibid. f. 111. b.

One whereof marched toward Avignon And threatened the Pope and Cardinals

[4] *Ibm.*A Croysado
Preached up
against them
without ef-
fect.[5] *Ibm.*
The Arrivee
to divert
them.[6] *Ibm.*

Mercy. Pope Innocent and the Cardinals much disturbed at the Proceedings of these People, who besides Robbing and Plundering, committed all sorts of [4] horrid Villanies, preached up a Croysado against them, and absolved all from Crime and Punishment (*a culpa & pena*) who would venture their Lives to destroy them; [5] but this Design did not take; and therefore they sent to the Marquis of Montferrat, who had then War with the Milanesse, to come to Avignon, [6] where it was contrived, That for a good Sum of ready Money, and the Promise of great Pay, he should attempt to get them into his Service, which had its due effect, for upon the Payment of the Money and his Promise, they quitted the Town of St. Spirit and other Places, and marched with him into Piedmont. The other Body of *Companions* would not stir out of France, but kept possession of what they had got, and increased in their Numbers and Outrages.

During these Confusions in France, King Edward sent his Commissioners, Sir Thomas Vuedale, and Mr. Thomas de Dunclet, Licentiate in Laws, to the King of France, to make certain Requests to him about the accomplishment, and a full effectual Dispatch of the things agreed, promised, and sworn to upon the Peace made between them, and especially that he would *cause* to be delivered and rendered intirely to him, or his Deputies, all the Cities, Towns, Castles, Fortresses, Lands, Countries, Isles and Places, which he was bound to deliver according to the Peace aforesaid; and further, to Receive the Letters of him and his Eldest Son, which should be sent and delivered at Bruges in Flanders on the Day of St. Andrew next coming, as well those of the *Renunciations, Cessions, Releases, and Transports*, as of other things that ought to be performed according to the Peace, under their great Seals, in Manner and Form agreed between them, &c. This Commission was Dated on the 15th of November 1361, and 35th of Edward the Third, but whether the Commissioners went according to the Commission, or what was done upon it, I have not seen.

This year there was a great Plague in England, which swept away many of the Nobility and Bishops, and amongst the rest Henry Duke of Lancaster [7] on the 24th of March, or last day of the year, a Person of great Worth in all respects.

On the 19th of July the year following, the Prince of Wales was made [8] Prince of Aquitan, and had all Guien and Gascoigne given him during Life, the Direct Dominion, Superiority, and last Report of those Countreys referred to his Father. Not long after this the Prince, his Princess, and Family removed into Aquitan, where having received the Homages and Fealties of the Noblemen and others, he kept his Court at Bourdeaux in great State and Splendor. He made Sir John Chandos his Constable of Aquitan, and Guischaard d'Angle (a Native of France, but by the Peace of Bretigny a Subject of England) his Marshall, who continued faithful.

This year * died Pope Innocent the Sixth in August, to whom succeeded Gillerin, an Englishman, and Benediclin Abbat, by the Name of Urban the Fifth, who was Consecrated on the First of November.

King

* *Rot. Franc.*
35 Ed. III.
M. 3.[7] *Dugd. Bar.*
Vol. 1. f. 789.
A great
Plague in
England.[8] *Rot. Valois.*
36 Ed. III.
M. 16. A. D.
1362.The Prince of
Wales made
Prince of
Aquitan.
Homage and
Fealty done to
him by the
Noblemen.
He kept his
Court at Bour-
deaux.* *Walsingh.*
f. 179. n. 10.
Pope Innocent
dies.
An Englishman
chosen Pope.

King Edward was very kind to Four of the chief of the French Hostages, [9] the Dukes of Orleans, Anjou, Berry, and Bourbon, who gave them Leave to go over to Calais, and stay there for some time, and to go about into the Country for 4 days at any time, so as they always returned to Calais before Sun-set on the last day of the four. The Duke of Anjou upon this Liberty made his Escape, the others returned with the King of Cyprus into England.

Toward the [1] end of this year King John of France came for England, and landed at Dover the day before the Eve of Epiphany, or 4th of January, upon the [2] News he received of the Escape of his Son, the Duke of Anjou, to repair his Honour, and shew he had no Hand in that Act, and to dispose King Edward to the Expedition of the Holy War, he having accepted the Command of Generalissimo, by the Preaching and Perswasion of Pope Urban the Fifth: After he had been Nobly Treated here by the King and Nobility, [3] he fell sick at the Savoy in London about Mid-March, and died on the 8th or 9th of April following, for whom the King of England made a Magnificent Funeral, but his Body was carried into France, and interred at St. Denis upon the 7th of May; and upon Trinity Sunday next following, his Eldest Son Charles the Regent of France, and Duke of Normandy, was Crowned King at Rheims.

This year the King held a Parlement, 15 days after Michaelmas, wherein * was granted unto him of every Sack of Wooll Transported 20 s. of every 300 Woollfells 20 s. of every Last of Leather 40 s. besides the Ancient Custom.

Notwithstanding the Peace of Bretigny, wherein [4] were not comprehended the Naverrois and Dukedom of Bretagne, the War continued there, Charles of Blois having been assisted by the French, and John de Montfort by the English. After many Skirmishes, Sieges, and the Battels of Cocherel and Auray, in which last Charles of Blois lost his Life, and then by a Treaty at Guernard a Peace was concluded [5] upon these Terms; That Montfort should enjoy the Dutchy, upon Condition of doing Homage and Fealty for it to the King of France; That the Widow of Charles should enjoy the Title of Dutcheess during her Life; and in case Montfort died without Heirs, the Dutchy to remain to the Heirs of Charles of Blois.

About the same time, or not long after, there was Peace [6] between France and Navarre, when many Soldiers and Companions knew not what to do. [7] Froysard says, most of the Captains of the Companions, who horribly wasted and plundered the Country, were Englishmen, and Gascons under the Obedience of the King of England, and that the King of Hungary wrote to the Pope, the King of France, and Prince of Wales, that those People might be employed in his Service against the Turks, who offered them Gold, Silver, and Passage, but they would not quit France, which they called their Chamber.

Yet within a year or two, the Pope and King of France found an Opportunity to employ these Companions they so much feared. [8] Alphonso XI. King of Castile had by his Wife a Son called Peter, and by another Woman had several natural Sons, or Bastards,

[9] *Frois. c.*
218. f. 113. b.
A. D. 1363.
Great Liberty
given to four
French Ho-
stages.
The Duke of
Anjou made
his Escape.[1] *Ibm. c.*
219.
The King of
France comes
into England.
[2] *Mazaray,*
f. 382.

His Errand.

[3] *Ib. f. 383.*
A. D. 1364.
He falls sick,
and dies there.His Son
Charles
Crowned
King.A Tax granted-
to the
King.
* *Rot. Parl.*
36 Ed. III.
n. 35.[4] *M. 207,*
fol. 384.
War in Bre-
tagne between
Charles and
Montfort.[5] *Ibm.*
f. 385. A. D.
1364.
Frois. c. 229.
f. 125. a.
A Peace be-
tween them.[6] *Ibm.*
f. 107. b.
[7] *Ibm.*
A Peace be-
tween France
and Navarre.
The Compa-
nions waste
the Country.
They refuse
to serve a-
gainst the
Turks.[8] *Ib. f. 126.*
Mazar. f. 386.
A. Expectant
to employ
them.

N n

Peter the Cruel King of Castile an Enemy to the Church.

Henry the Bastard Legitimated by the Pope, made King.

[9] *Fruf. ib.* The Kings of France and Aragon make War against Peter, and drive him out of his Kingdom.

[1] *Ibm. c. 231. A. D. 1366.* He applies himself to the Pr. of Wales, who undertakes his Quarrel,

[3] *Ib. c. 234.* Beats Henry,

[4] *Ib. c. 237, 238.* and restores him.

[5] *Ib. c. 239. f. 142.* The Pr. sends to K. Peter for Pay for his Soldiers, and could not get it.

[6] *Ibm.* The Pr. not being well, returns with his Army into Aquitan.

[7] *Ib. c. 240.*

[8] *Ibm.* The Companions rob and spoil the Country.

[9] *Ibm.*

starts the Eldest whereof was was Henry. Peter had the Name of Cruel and Wicked, from his Actions of the same Denomination, and was reputed a great Enemy to the Church; whereupon great Complaints were made to the Pope, who upon Summons refusing to come to Avignon, was by Advice of the College declared an Infidel, Curfed, and Condemned, and Henry the Bastard Legitimated, and made capable of Receiving the Kingdom. [9] By this Encouragement the Kings of France and Aragon made War upon him, and sent under the Command of Bertrand du Guesclin, the Famous Commander of the Companions, a great Body of those Men, and a great Number of other Voluntiers under excellent Officers, to assist the Bastard Henry against Peter, who drove him out of his Kingdom.

Peter applies himself to the Prince of Wales, [1] who sends into England to his Father, and by his Advice, and the Concurrence of the Gascon Lords, undertakes his Quarrel, upon Condition of Payment of his Men, and that the King of Navarre would permit them to pass through his Country. [2] His Brother the Duke of Lancaster came to his Assistance out of England, and with as many Companions as he could gather up, under the Command of Sir Hugh Caverly and others, the Gascons, and Forces his Brother brought with him, he enters Castile. [3] (The March, Number of Men, and Chief Commanders, are described and named by Froissard) on Saturday April 3. 1366. The [4] Battel was fought between Navar and Navaret in Spain, where Henry the Bastard received a total Rout, and Peter was restored to his Kingdom.

Some time after the Battel, [5] the Prince sent to King Peter for Pay for his Soldiers, who excused himself, and let him know his People could raise no Money, so long as the Companions were in the Country; and that they had three or four times robbed his Treasurers coming to him with Money, and therefore desired him to send them away.

The Prince not being well, [6] nor the Air of Spain (then thought to be infectious) agreeing with him or his Army, he was advised to return to Aquitan; and Order was given accordingly. Upon his return, he promised the Army to pay them so soon as he got Money, though King Peter had not kept his Promise. The Gascon Lords went to their own Homes; the [7] Companions kept together expecting their Wages, and exercised their Trade of Robbing and Plundering. The Prince desired [8] them to leave his Country, it not being able to sustain them: Some afraid; others that would not displease him, marched towards France, under English and Gascon Officers, passed the River Loire, and went into Champagne, where their Numbers encreased much, and they were so strong as none dare encounter them, though many Complaints had been made to the King of France concerning them: They harassed the Countries where-ever they came, and the [9] People wondered the Prince of Wales should send them thither to make War.

* So Mazeray; Froissard, Clisquai; Walsingham, Cleikin; others Clequin and Guesclint.

Who

Who wanting Money to pay his Debts, contracted by the Spanish Expedition, and his own Expenses, and in some measure to satisfy his Soldiers and Military Men, he was advised [1] to call together the Bishops, Abbats, Barons, and Knights of Aquitan at Niort, where Chimney-Money was propounded and urged by the Bishop of Rhodes Chancellor of Aquitan, a Frank upon every Chimney. Some consented to it, others dissented; but the main Answer was, They would consider and advise about it; and then departed. [2] The Prince commanded them to return at a Day assigned: Many returned not, nor would suffer Chimney-Money to be paid. [3] He rigorously exacted the Collection of it. Sir John Chandos, one of the Chief of his Council, advised him to the contrary; but seeing he could not prevail, left him, pretending Business in Normandy at his own Estate St. Savours le Vicount, where he abode six Months.

In the mean time, [4] the Earl of Arminac, the Lord d'Albret, the Lords Gomeges, Pincornet, and divers other Barons, Prelates, Knights, and Esquires of Gascon, made great Complaints, and appealed to the French King as their Superiour Lord, to whose Court was, as they affirmed, the last Resort for maintaining their Liberties and Franchises against the Oppressions and Evil Usages of the Prince of Wales. [5] He managed them cunningly, giving them such Answers as satisfied them at present; yet knew not his meaning, until he had covertly prepared for War; and then he sent a [6] Summons to the Prince of Wales upon their farther Infiance, Dated January 25. at Paris, to appear there before him in his Chamber of Peers, and do the People Right, according to their Complaints. His Answer was, That if he must come, he would, attended with Sixty thousand Men.

This Summons was soon after followed with a Defiance, [7] sent to the King of England, and the Invasion of Ponthieu and Aquitan.

The chief Reasons why the French King began the War again with England, were (besides the above-mentioned) a pretended [8] Agreement the Two Kings should make at Bologne, on the 26th of October, 1360. when the Treaty at Bretigny had been corrected and confirmed by them both; by which it was accorded, That whereas for some Difficulties which then hapned, the Renunciations to be made at Calais could not be perfected, both Kings in the Year following should send their Deputies to Bruges, to be there on the Feast-Day of St. Andrew, bringing with them the Treaty of Peace and Renunciations, in Letters Patents, Sealed with their Seals: And until that time, they should be of no effect: And that to the King of France should remain the Resorts and Sovereignities as before: [9] That if any of the Subjects of one Party or the other should contravene the Peace, exercising Robbing and Killing, Pillaging, Burning, or Taking or Detaining Fortresses, Persons, or Goods, in one Kingdom or the other, upon the Subjects, Adherents, or Allies, and should not cease, or make Reparation within one Month after Demand. From thence they were to be holden as Banished both Kingdoms, Guilty of Treason, and to be punished without Remission or Connivance.

N n 2 And

The Pr. want Money.

[1] *Ib. c. 241.*

Chimney-money propounded; Many dissatisfied about it: [2] *Ibm.*

Yet it was exacted, [3] *Ibm.* against the Advice of some of his Council.

[4] *Ibm.* Many Great Men of Gascon complain to the King of France of the Oppressions of the Pr. of Wales [5] *Ibm.*

The King of France summons him before him in his Chamber of Peers. [6] *Ib. c. 243. & Du Chesne, f. 699 D.*

A. D. 1369. The Prince his Answer. [7] *Fruf. e.*

246. Du Chesne, f. 700. D. The King of France desires the King of England: Invades Ponthieu and Aquitan.

[8] *Du Chesne, f. 693. B. C.* The Reason of this War.

[9] *Ibm.*

[1] *Ibm.*[2] *Ib. f. 694.*
A. B.[3] *Fol. 388.*

All the Lands the King of England held in France declared to fait, and to be confiscated for Rebellion, Contempt, and Disobedience.

[1] *Clauſ. 43*
Ed. III. M. 24.
Dorſ.

A. D. 1369.

[2] *Rot. Parl.*43 *Ed. III. M. 24.*

A Parliament called.

The cause of Summons.

And further, That one King do not Receive the Enemies of the other, but preserve their Honour Reciprocally. And that King [1] Edward on his Part deputed no body to Bruges at the time appointed, to make the Exchange of the Treaty and Renunciations. [2] That instead of delivering the Fortresses and Garrisons he held in France at his own Charge, as he was expressly bound by the Treaty, he kept many in his own Name under pretence of Wages due to the Soldiers as then unpaid; and seized upon others, and continued the War in effect by those of his Party, who changed their Names, and called themselves Companions; who would not yield the Places they held, without an unreasonable Redemption or Payment for the quitting of them. Further, That he took no notice of the Difference between his Son-in-Law John Montfort, and Charles Earl of Blois, concerning the Duchy of Bretagne, as by the Treaty he was equally bound to do, as the King of France was, but suffered the War to continue there to weaken the Force of France, and to prevent the Return of the Companions into England, lest that might have been too great Charge and Trouble to him. That he never kept his Faith with France. Lastly, That he had done Homage and sworn Fealty to the King of France as to his Superiour Lord for the Duchy of Aquitan, Earldom of Ponthieu, &c.

Mezeray [3] writes, That King Edward thought himself absolute Sovereign in Guyen by the Treaty of Bretigny; but as on his side he had not Disbanded his Soldiers; and moreover he had committed divers Hostilities, the King of France pretended that Treaty was null and void; and that therefore he remained still a Vassal to the Crown. And that it was upon this foot that he sent to declare War against him. And afterwards his Parliament being assembled on Ascension-Eve, sitting in his Seat of Justice, made a Decree by which for Rebellion, Contempt, and Disobedience, they declared forfeit and confiscated all those Lands the King of England held in France.

But beyond this Pretence, in the Declaration of the Confiscation of the Dukedom of Aquitan, against King Edward and the Prince of Wales, by Charles V. King of France, Dated at Vincennes the 14th of May, 1370. it is positively affirmed, That the Superiority and Resort of the whole Dukedom of Aquitan, and the other Lands delivered and assigned to the English by that Treaty, were especially and expressly reserved to his Father, himself, and Successors. See the Instrument it self in Codex Juris Gentium Diplomaticus, Fol. 229. Paragraph 1. wherein they are said to have violated the Peace they solemnly Swore to maintain; and for that their Rebellion, (there so called) their Contempt, and Usurpation of the Superiority and Resort of the Dukedom of Aquitan, and other Lands, and many other Crimes there mentioned, that Dukedom, &c. was decreed Confiscate, and to be annexed to the Crown of France.

The War being open, the King [1] Summoned a Parliament to meet on the Octaves of Holy Trinity, or the next Sunday after that Feast, being May 27. this Year. [2] The King, Prelates, Dukes, Earls, Barons, Knights, Citizens, and Burgesses, being in the Painted Chamber, the Bishop of Winchester, then Chancellor, shewed the cause of Summons, telling them, That the King in all his great

great Business touching himself and the Kingdom, had in all times done and wrought (*de tout temps ad fait & overs*, &c.) by the Counsel and

of the Great Men and Commons of the Realm, who he found in all his Affairs Good and Loyal, for which he thanked them, and would not any thing should be unknown to them. He further told them, That with their Advice and Counsel he had made Peace with his Adversary of France, upon certain Conditions, That he should cause to be delivered unto him certain Lands and Countries beyond Sea, and also pay him certain Sums of Money at certain times appointed in the Peace; and that he should lay aside the Use of Resort in all the Lands and Countries of Gascon, and all the Lands and Countries which the King held beyond Sea; and that he was to part with the Name and Title of the King of France for the same time (*pur mesme le temps*.) That his Adversary had wholly failed to make Delivery of the Lands and Countries so Agreed to be Delivered by the Peace, and of his Payment also. That nevertheless he had received the Appeals of the Earl of Armoynak, the Lord de la Bret, and others, which were the King's Lieges in Gascon, and by virtue of their Appeals had caused to be Summoned the Prince of Gascoigne to appear before him at Paris (le Prince de Gascoigne d'apparer devant luy a Paris, &c.) the first Day of May last past, to Answer their Appeals against the Form of the Peace.

[3] And further, That he had sent a great Number of Men at Arms, and others into the Countries of Gascoigne, and there by force had taken Towns, Castles, Fortresses, and other Places; killed some of the King's Liege People, taken others, and imprisoned them, in expectation of great Ransoms. The like also he had done in Ponthieu. And because of these things done in the Principality against the Form of the Peace, [4] the Prince sent solemn Messengers to inform the King, he had called to him the most Wise Men of the Principality, and treated with, and propounded to them, whether by reason of these things, he might not, by Right and Reason, retake upon him, and use the Name of King of France; who answered and affirmed the King might do it by Right and Good Faith (*de Droit & bon Foi*) [5] Upon which Point the Arch-Bishop of Canterbury, and the other Prelates, were charged by the King (*ſurent chargez par le Roy*) to treat and shew their Advice and Counsel (*leur Avez & Conseil*).

On Wednesday following, the [6] Arch-Bishop and Prelates, after mature Deliberation had upon the Charge, with one accord answered and said (*respondient & desoient*) That the King for the Causes above-said, might retake and use the Name of King of France, by Right and good Conscience: To which Agreed the Dukes, Earls, Barons, and other Great Men, and Commons in full Parlement; (*& a ce [7] accorderent les Ducs, Comtes, Barons, & autres Grands, & Communes en pleyn Parlement.*) Which Name of King of France he did retake, and had his Great Seal, and other Seals altered, and that Title [8] engraved upon them.

On the same [9] Day, and Thursday, the Estate of the King was laid before the Great Men and Commons (*ſust monſtre as Grants & Communes leſtat le Roy*) and because the War was open, (*par cause de la Guerre queſte ouverte*), he should be at great Charges

An account of the Transactions between K. Edward and his Adversary of France.

His unfaithful Dealing with K. Edw.

[3] *Ibm. n. 2.*[4] *Ibm. n. 3.*[5] *Ibm.*

[6] *Ibm. n. 8.*
King Edward by adv. c. of Parlement retakes upon him the Title and Name of King of France.
[7] *Ibm.*

[8] *Ibm.*[9] *Ibm. n. 5, 6.*

A Subsidy of Wool, &c. granted to maintain the War.

[1] Ib. n. 25. K. Edward's Offer, To all Persons whatever that would maintain his Quarrel against France.

[2] Walsf. 84. n. 20. The Death of the Queen. The Offer as above, no advantage to K. Edward. [3] Froys. c. 272. Du Châf. f. 704 D. He sends his Letters of Indemnity and Pardon into Aquitan.

as well by Sea and Land, which he could not maintain without their Aid, he requested them they would treat and advise how he might be best assisted to his greatest Profit, and the least Charge and Damage to the People. The Prelates, Dukes, Earls, and Barons, by themselves, and then the *Commons* of one accord, Granted (*les Prelates, Ducs, Barons, par eux, & puis les Communes d'un accord Grantent*, &c.) to the King a Subsidy of Wools of every Sack 4 s. 4 d. and of the Woollfels every Twelvelfcore as much, and of every Laft of Leather 4 l. which passed beyond Sea for three Years, besides the ancient Custom, to begin at Michaelmas next coming, of *Denizons*: Of *Strangers*, for every Sack of Wool 4 Marcs, of every Twelvelfcore Woollfels, 4 Marcs, and of every Laft of Leather 8 Marcs.

He not only provided for Money this Parlement, but [1] declared, That for the *Compensation* of such *Lords*, or others of whatsoever Estate, Degree, Condition, or Nation they were, who would maintain his Party and Quarrel against his *Enemies of France*, should hold *Heritably* what they should Recover and Conquer, be they *Dutchies, Earldoms, Vicounties, Cities, Towns, Castles, Fortresses, or Lordships*, situate in France, by what Name or Title they were called, of him as of the King of France, by the Services and Dues accustomed, except and reserved expressly to him and his Heirs, all his *Demesne Royalties, Services, Homages, Dues, Resorts, and Sovereignties* belonging to the Crown of France; except also Church-Lands, and the Lands of all such as without Force or Difficulty would obey, adhere to, and stay in Obedience to him on their own Good-will, and him Aid, Counsel, and Comfort in his Quarrel, &c.

This Year [2] on the Assumption of the Virgin Mary, or 15th of August, died Queen Philip, just and Sincere, as the Historians say, to the English Interest.

There is nothing extant which makes it appear, that the Offer above-mentioned advanced King Edward's Cause; and therefore next Year he sends his Letters of Indemnity and Pardon, with great Promises of Reformation, into Aquitan: [3] That he being informed of certain Troubles, Grievances, and Molestations done, or supposed to be done, by his Dear Son the Prince of Wales in his Seigniorie of Aquitan, being obliged and desirous to remedy all things tending to evil Surmises, Hatreds, and Contentions, between him and his Loyal Friends and Subjects, did Announce and Pronounce, Certifie and Ratifie, of his meer Good-will, and by great Deliberation of his Council, to that purpose called, and did Will and Command, That the Prince of Wales should forbear and remit all manner of Actions done, or to be done, and restore to all such as had been grieved or molested by him, or by any of his Officers and Subjects in Aquitan, all their Costs, Expences, or Damages raised, or to be raised, in the Name of Aids or Chimney-Money. And did further pardon all such as had revolted and forsaken his Homage and Fealty, upon Condition, that after the sight of these Letters, within one Month they returned to their Obedience. And if any Persons made any just Complaint against his Dear Son the Prince, or any employed by him; that in any thing they were grieved or oppressed, or had been in times past, he would cause them to have reasonable Amends, for the maintaining of Peace, Love, Concord, and Unity between him and his People of the Dutchy. And that all Men might

be satisfied of the Truth of these Letters, he willed they should have Copies of them; and then declared he had Sworn to maintain and make them good, by the Body of Jesus Christ, in the Presence of his Dear Son John Duke of Lancaster, the Earls of Salisbury, Warwick, Hereford, and many other there named. Dated at Westminster, in the 44th Year of his Reign, on the 5th of November, in the Year of our Lord 1370.

A Mezeryay [4] taking notice of these Letters, tells us, That to the Force of Arms, the King of France joined Religion and Eloquence, which could do all things on the Hearts of the People. He ordered Fasts and Processions to be made all over his Kingdom, and sometimes went barefoot himself with the rest; when at the same time the Preachers made out his Right and Title, with the Justice of his Cause, and the Injustice of the English: Which had two Ends; the one to bring back again those French Provinces, which had been yielded by the Treaty of Bretigny; the other, to make those that were under him willing to suffer the Contributions, and all other Inconveniences of War. The Arch-Bishop of Thoulouse alone, by his Persuasions and Intrigues, regained above Fifty Cities and Castles in Guien; amongst others, that of Cabors. The King of England would have practised the same Methods on his part, and sent an Amesty, or General Pardon, to the Gascons, with an Oath upon the Sacred Body of Jesus Christ, to raise no more new Imposts; but all this could not reclaim those Minds, that had bent themselves another way.

King Edward [5] sent Forces over to the Prince, with Edmond Earl of Cambridge his own Son, and the Earl of Pembroke his Son-in-Law; who with a great number of Companions, under the Command of Hugh Caverley, an Experienced Officer which came from Aragon, Rendezvouled at Angolesem, and were put all under his Command by the Prince. What things of Note they did, I find not.

Before this time, [6] Henry the Bastard had, by the Assistance of Peter King of Aragon, the King of France, and the Power of Bertrand de Guesclin and his Companions, seized the Kingdom of Castile, and killed King Peter, and fixed himself in that Throne. The King of France wrote to Henry to [7] permit him, and to Bertrand himself, to come into France, and to enter into his Service; who made all the haste he could, and came and joined the Duke of Anjou at Thoulouse.

About the same time the [8] Duke of Lancaster arrived at Burdeaux with more Forces from England, who marched forthwith to the Princes Rendezvous at Cognac, where he met with the Earls of Cambridge and Pembroke; who all joining with the Forces of Xantong and Poitou, which the Prince had Summoned in, made a great Body of Men.

In the mean time, [9] the Duke of Berry lay before Limoges, who being reinforced, with Forces sent under the Conduct of Bertrand de Guesclin, caused the City to Treat, and was soon delivered by the Bishop and Citizens into the hands of the French, to whose King they gave their Faith and Homage.

[4] F. 389. The King of France joined Religion and Eloquence to his Arms; And sent Preachers abroad, to justify his Cause.

[5] Ib. c. 249. 250. Forces sent into France to the Prince. Some of the Companions joined with them. [6] Ib. c. 247. 248. Henry the Bastard killed Peter King of Castile, and fixed himself in the Throne. [7] Ib. c. 276. Bertrand de Guesclin and his Companions serve the K. of France against K. Edm. [8] Ib. c. 279. The Duke of Lancaster arrived at Burdeaux with more Forces from England. [9] Ib. c. 280. Limoges delivered to the French.

While

[1] Ib. c. 280.
Mazer. f. 390.
The English
barons and
burn the
Counties a-
bout Paris.

[2] Freyford,
c. 283.
The Prince
inraged with
Limoges, takes
it by Storm,
puts to the
Sword 3000
Men, Women,
and Children.
Burns and
destroys the
Town.

[3] Ib. c. 280.
The weak
Condition of
the Prince.

[4] Ib. c. 287.
His return to
England.

[5] Ib. m.
A. D. 1370.

[6] Du Chesne,
f. 707. B.
Bertrand de
Guefclin made
Constable of
France.

[7] Rot. Clauf.
44 Ed. III. M.
1. Derf.

A Parliament
summoned.

[8] Rot. Parl.
45 Ed. III.
n. 1.
The Cause of
Summons.

While these things happened in Aquitan, the Command of the [1] Army about Picardy was given to Sir Robert Knolls, which terrified the Country as far as the Loir; it harassed Vermandois, Champaign, la Brie, and the Isle of France, burnt all round Paris, yet nothing could move the King of France to send out of Paris any Force against them.

The Prince much inraged with [2] Limoges for rendering as it did, was resolved to execute his Revenge upon it, set his Miners to work to undermine the Wall, which they did in the space of a month, so as a great part of it fell into the Ditches, when the Town was taken by Storm, and more than Three thousand Men, Women, and Children, of the Inhabitants, put to the Sword, the Town burnt and destroyed by the Prince's Command. The Bishop likewise should have had his Head struck off, had not the Duke of Lancaster begged him of the Prince, and the Pope by sweet Words and kind Intreaty prevailed with the Duke to send him to Avignon. [3] The Prince at this time was carried in a Horse Litter, being so weak he could not ride. This was the last Warlike Athievement of the Prince, being [4] advised by his Physicians and Chirurgeons to return into England for his Health's sake; He took their Advice, and with his Prince, his young Son Richard, the Earls of Cambridge and Pembroke, came for England, leaving the [5] Affairs of Aquitan to the Management of his Brother John Duke of Lancaster. By this time [6] Bertrand de Guefclin had Baffled the Army of Sir Robert Knolls, that had Braved all France, and recovered from the English many Towns and Fortresses, for which Services he was made Constable of France on the Second of October.

In the latter end of the 44th year of Edward the Third, on the 8th of January, he [7] issued Summons for a Parliament to meet on Monday in the first week of Lent, being the Feast of St. Matthias, or 24th of February, in the 45th of his Reign, on which day the King, Prelates, Great Men, and Commons, (Grants & Coes) assembled in the Painted Chamber, [8] and the Bishop of Winchester, then Chancellor, declared the cause of Summons to be, That by their assent last Parliament, the King did retake upon him the Name of King of France, because his Adversary had broke the Peace, and used the Resort, which by that belonged to him; for which cause and others he had been at great Expences, and sent some Great Men and others, to a great number, to recover and conquer his Right, (par son droit avoir & conquerre) and that the King had received News from his Friends and Allies, That his Adversary had made himself stronger then he had done before, (que son adversaire se fait plus fort, quil n'ad fait devant) and directed so great a number of People to be brought together, as seemed to him, were able this year to put him out of possession of all his Lands and Countreys beyond Sea, as well in Gascoign, as at Calais, Guines, Pontheu, and other Places; and further, That he had such a Fleet ready, as seemed sufficient to destroy the whole English Navy, (a destruire toute la Navy D'Angleterre;) and also, That he prepared to send over a great Army into this Land, to destroy, conquer, and subject it to his Power; Wherefore the King required and charged the Great Men and Commons, (par quoi le Roi requiert & charge les Grantz & Coes) That

That they would Advise about these Points, and Counsel him, how the Kingdom might be safely guarded, the Navy preserved from the Malice of his Enemies, how his Lands beyond Sea should be kept, the War there maintained, and the Conquest of them carried on.

Upon these [9] Causes thus propounded, and many ways of Ayd, Touched, Treated of, and Debated between the Great Men and Commons, (& plusieurs voies de aide toucher, treftez, parlez & debaturz per entre les Grantz & Communes) in consideration of the great Costs and Charges the King was to be at for the Causes above said, the same Great Men and Commons (mesmes les Grantz & Communes) on the 28th day of March granted a Subsidy of 50000 l. to be levied of every Parish of the Land 22 s. 3 d. so as every Parish of greater value should contribute ratably to those of less value.

But at the Great Council holden at [1] Winchester Eight days after Trinity Sunday, the Chancellor shew the Great Men and Commons there assembled, (fist monstre par le Chancellor as Grantz & Communes illoques assemblez) That the number of Parishes in England would not answer the Sum of 50000 l. as might appear by the Certificates of all the Arch-Bishops, Bishops, and Sheriffs, made and returned into Chancery by the King's Warrant; [2] Which Certificates being Examined, (& sur se plusieurs treftez & parlancces eues) and many Treaties and Conferences had upon the Matter; at last in full accomplishment of the Sum of 50000 l. the said Great Men and Commons (les ditz Grantz & Communes) granted of every Parish within the Kingdom of England Cxvi s. the Sum of 22 s. 3 d. first granted, being comprised therein, except the County of Chester, and the Church Lands, which were Taxed to the Tenth, so as always the Parishes of greater value should be contributory to those of less value.

The [3] Commission of this Grant was read before: the King, Great Men, and Commons, and the Names of the Collectors given in by the Knights of the Shires, and also the Names of the Lords and others that were assigned to see the Tax was duly and reasonably Assessed and Levied; and the Petitions of the Commons that were not answered in the preceding Parliament, were answered in this Council, amongst which this following is very observable.

For that [4] it had been declared to the King in this present Parliament by all the Earls, Barons, and Commons of England, That the Government of the Kingdom had for a long time been managed by Men of the Church, whereby many Mischiefes and Damages had happened in time to come, in Disturbance of the Crown, and to the great Prejudice of the Kingdom: It would please the King, That Laymen, of sufficient Abilities, and no others, might for the future be made Chancellor, Treasurer, Cleric of the Privy Seal, Barons of the Exchequer, Chamberlans of the Exchequer, Controller, and other Great Officers and Governors of the Kingdom, and that this Matter might be so Established, that it might not be Defeated, or any thing done to the contrary in time to come, saving to the King the Election and Removal of such Officers, yet so as they should be Laymen.

[9] Ib. n. 6.

A Subsidy of 50000 l. granted to be levied ratably upon every Parish.

[1] Ib. n. 6. A great Council at Winchester.

The number of Parishes could not answer 50000 l. as it was to be levied upon them, and therefore they were Taxed higher.

[2] Ib. n. 10, 11.

Note, That the Transactions of this Council, and the precedent Parliament, are entered in the same Roll, and the numbers continued as if it were one and the same Assembly.

[3] Ib. n. 12, 13.

[4] Ib. n. 15.

The Commons Petition, that Laymen, and no others, might be made the great Officers of the Kingdom.

The King's Answer.

[3] *Ibm.*
[6] *Rat. Clause 46 Ed. III. M. 29. Dors.*
The Members of the great Council at Winchester.
[7] *Ibm.*

[8] *Frojd. c. 295.*

* *Ib. John Duke of Lancaster's Title to Castile.*
[9] *Ib. c. 296.*

[1] *Ibm.*
Two Armies to be sent into France.

The Earl of Pembroke Lieutenant of Aquitan.
[4] *Rat. Val. 46 Ed. III. Henry the Bastard of Calais afflicts the King of France with a Fleet.*
[5] *Frojdars. c. 297, 298, 299. A. D. 1372.*
The English Navy destroyed.
The Earl of Pembroke taken Prisoner.
[4] *Welling. yprud. N. n. f. 530. n. 10.*
He dies.

[5] *Frojdard. c. 304.*
Rebell declares for the King of France.
[6] *Ib. c. 305. Macc. f. 392.*
The Town of Tournai forced to Capitulate. The Terms granted unto them.

The King's Answer was, [5] *He would do in this Point, what seemed best to him by Advice of his Council.*

The Members of this great Council were, [6] *four Bishops, four Abbats, six Earls, six Barons, and such, and so many of the Commons as the King named in his Writs to the Sheriffs, which were of the last Parliament*; for Kent there were only [7] *Thomas Apuldefeld, one of the Knights of the Shire, Edmund Horner, one of the Citizens of Canterbury, and John Synchynfeld, one of the Citizens of Rochester.*

About this time [8] *John Duke of Lancaster Married Constance, the Eldest Daughter of Peter the Cruel, King of Castile, &c. the true Inheritor of that Kingdom, and took upon him the Title of King in her Right.* * Whereupon *Henry the Bastard of Castile*, made a League Offensive and Defensive with the *King of France*. [9] *After Michaelmas he came for England, for Instructions how to carry on the Affairs of Aquitan, leaving Governors and Deputies in Guien and Poitou, his Wife and her Sister Isabel, who was afterward Married to Edmund his Brother, Earl of Cambridge, came with him.*

And this Winter [1] were divers Councils holden about the Affairs of *Aquitan*, and other Parts in *France*, and how the War was to be maintained there next Summer; at last it was resolved there should be Two Armies sent thither, one into *Guien*, and another by the way of *Calais*.

In the Spring [2] the Earl of Pembroke was made Lieutenant of *Aquitan*, and was ordered to go by *Poitou* into *Guien*, with a Fleet and Forces, and to land at *Rocheil*. The King of France knowing what was designed in England, sends to *Henry the Bastard of Castile* to assist him with a Fleet, who sent one greater and far more powerful than that of England. [3] The Two Fleets met at the Entrance of the Bay of *Rocheil* on the 22d of June, where they fought two days; most of the English Navy was destroyed or taken, and the Earl made Prisoner. The *Rocheillers* saw all this, but gave no assistance to the English, tho demanded of them. The Ship also was sunk, in which the *Treasure* was for the payment of the Soldiers in *Aquitan*. The Earl of Pembroke was sent Prisoner into Spain to *Henry the Bastard*, who about [4] three years after sent him to *Bertrand Guesclin* for a Sum of Money he owed him. The Sum of his Ransom was agreed on at *Paris*; but coming for England to raise the Money, being very weak, he died before he reached *Calais*, and the *Constable of France* lost the Price of his Redemption.

After this Fight at Sea, and the Destruction of the English Fleet, [5] *Rocheil* declared for the King of France, and all *Rocheilois*. In *Poitou* the Constable reduced many Towns and Forts, and besieged [6] *Thouars*, whither most part of the Lords and Chief Men of that Country were retired, as to a Place of Security; In a short time they were forced to Capitulate and Agree, That they should put themselves, their Lands and the City under the Obedience of the King of France, unless upon their sending to the King of England, he himself, or one of his Sons, came with an Army to relieve them by next Michaelmas-day.

The

The Messengers [7] sent from *Thouars* informed the King, Prince, and Council, of the Condition of *Poitou*, and *Xantogne*, and especially of that Place: The King resolved to go over himself, and was advised to take with him that Army which was to march into France by the way of *Calais*; [8] and besides, he sent forth Summons for a very considerable number of the Military Men, and many of the Nobility, to be ready to pass the Sea with him, and the Prince of Wales, into *Poitou*.

On [9] Monday, August 30. (Orders having been given for Publick Prayers to be made in all Churches for good success upon the Voyage) he took Ship with many of the chief Nobility, and with 400 Vessels [1] of all sorts, sailed toward the Coast of France, and *Poitou*, but the Wind was always contrary, so as he could not land; Having kept the Sea about five weeks, and the time limited for Relief, or Surrender of the Town, being past, he returned to England in the beginning of October. [2] This unhappy Voyage, with the Disaster of the Earl of Pembroke, lost all *Poitou*, *Xantogne*, and *Rocheilois*.

On the very day [3] he put to Sea, he made his Grandchild *Richard*, Son to the Prince of Wales, then scarce Seven years old, Guardian, and his Lieutenant of the Kingdom during his absence, appointing him a Council fit for the Management of the Publick Affairs: Two days after, on the first of September, [4] he issued Writs of Summons for a Parliament to meet 15 days after Michaelmas; but before that time King Edward was come into England, and by his [5] Writs dated at *Winchelsea* on the 6th of October, he prorogued this Parliament to the morrow of *All-Souls*, or 3d of November.

Sir John Knivet [6] declared in part the Causes of Summons, the Parliament being adjourned until Friday; after that *Monsieur Hugh Bryan*, in the White Chamber, acquainted [7] the Prelates, Duke, Earls, Barons, and Banerets, (les Prelates, Ducs, Comtes, Barones, and Banerets) That the Prince, who had the Principality of *Guien* by the Grant of the King, had often signified to him, when there, by Letters and Messengers, That the Revenues and Profits arising from the Principality did not, nor could suffice to maintain him, and support the Government, and Wars against their French Enemies, and other necessary Charges, without great assistance from the King; and that the Prince having made these things appear to the King and Council when first he came into England, had surrendered [8] into the King's Hands the Principality, and all he could claim there by virtue of his Grant, in the presence of the King's Council, and some other Great Men.

On the next day, being [9] Saturday, Sir Hugh Bryan, before the Prince, Prelates, Dukes, Earls, Barons, and Commons, in the White Chamber, more especially declared the Causes of Summons, That the King, by Advice of the Great Men, (des Grantz) had ordered many Great Men, (plusours des Grantz) with sufficient Power, some into *Gascogne*, others to *Calais*, to oppose the Malice of his Enemies, and make War upon them by all the ways they could; That afterwards, for sudden News that came to the King, he made ready with all his Power to put to Sea, or go to Sea, (ove tout son poair daler sur la Meer) against his Enemies,

O o 2

to

[7] *Frojdard as above.*
King Edward resolved to go into France with an Army.
[8] *Ibm.*
He summons the Noble and Military Men, to pass with himself and Prince of Wales.

[9] *Rat. Clause 46 Ed. III. M. 29. Dors.*
A. D. 1374.
Prayers made for success.
[1] *Frojdard as above.*
The Voyage unhappy by reason of contrary Winds.

[2] *Ib. c. 306.*
Poitou, Xantogne, and Rocheil lost.

[3] *Pat. 46 Ed. III. Part. 2. M. 25.*
Richard, Son to the Prince of Wales, made Guardian and Lieutenant of England in his absence.

[4] *Clause 46 Ed. III. M. 11. Dors.*
Summons of Parliament.

[5] *Ib. M. 10. Dors.*
Which Prorogued by Writ.

[6] *Rat. Parl. 46 Ed. III. n. 1, 2, 3.*
Further Declaration of Summons.

[7] *Ib. n. 7.*
The Revenues of *Guien* not sufficient to support the Government of it, &c.

[8] *Ib. n. 8.*
The Prince resigns it into the King's Hands.

[9] *Ib. n. 9.*
Yet a further Declaration of Summons.

The French
make them-
selves stronger
by Sea and
Land, then
ever they had
done before.

[1] *Ibm.*

[2] *Ib. n. 10.*
These Com-
mons were the
Knights of
Shires.

A Subsidy
upon Wooll,
&c.

[4] *Ibm.*
A Fifteenth
granted.

[5] *Ib. n. 11.*

[6] *Ib. n. 12.*

[7] *Ib. n. 13.*

[8] *Ib. n. 14.*

[9] *Ib. n. 15.*
The Grant of
the Citizens
and Burgeses.

to do what he could against them, but by reason of the Wind being contrary, and other Causes reasonable, (*par contrariousete de vent, & autres causes raisonnables*) he came back into England, and caused to be summoned and prorogued this Parlement, that the Great Men who were with him upon the Sea might be there, that by the good Advice and Counsel of them and others, and also of the Commons, (*& ainsi une la Coe*) he might do the best he could for the safety of the Nation, and to resist and oppose the Malice of his Enemies, who had made themselves much stronger by Land and Sea then ever they were before, (*qui plus s'efforcent de guerier si bien par terre come par Meer, que unques fesoient a devant.*)

And then [1] beseecheth the Prelates, Prince, Dukes, Earls, Barons, and Commons, on behalf of the King, (*& supplia as ditz Prelates, Prince, Ducs, Countes, Barons, & as Coes de par le Roi*) that they would advise upon this Matter, and give such Counsel (*& donner viel conseil*) and Ayd to the King, as seemed to them best profitable for the Nation, and to restrain the Malice of his Enemies.

Quene [2] Prelates, Prince, Ducs, Counts, Barons & Coes en sur les pointes de leur charge, & as dependantz dycelles plein deliberation, &c. which Prelates, Prince, Dukes, Earls, Barons, and Commons, having had full Deliberation upon the Points of their Charge, and the Dependences thereon, and also considering the great and outrageous Charges and Expence the King was to be at for the Defence of the Nation, and Maintaining the War against his Enemies, granted him the Subsidy of Wooll, Leather, and Woollfells, for Two years, to begin at Michaelmas last past, of every Sack of Wooll which passed out of England 43 s. 4 d. of every Twelvescore Woollfells as much, of every Last of Leather 4 l. of Denizens, besides the old Custom, and of Strangers or Forreigners four Marks of every Sack of Wooll, as much of every Twelvescore Woollfells, and Five Pounds six shillings eight pence of every Last of Leather.

And whereas [4] the Subsidy and Custom so granted could not be sufficient for the great Expence and Charge the King was to be at for the Causes abovesaid, as it was openly shewed unto them, the same Prelates, Prince, Dukes, Earls, Barons, and Commons, having regard thereto, [5] granted One Fifteenth for one year to be levied as the last was.

On the 23d of [6] November the King, Prelates, Duke, Earls, Barons, and Commons, assembled in the White Chamber, when the Chancellor declared to the King how kind the Lords and Commons had been to him, in granting him the Subsidy and Fifteenth, who much Thanked them for their great Ayd; and then the [7] Petitions of the Commons were read and answered, when the Knights of Shires had leave to depart, [8] and sue out Writs for their Wages or Expences, (*pour leur depenses*;) but the Citizens and Burgeses were commanded to stay, [9] who the same day assembled before the Prince, Prelates, and Great Men, and for the safe conveying of their Ships and Goods granted 2 s. upon every Tun of Wine coming in, or passing out of the Kingdom, and 6 d. in the Pound of all Goods for a year.

The

The next Year the King [1] made his Son John King of Castile and Leon, and Duke of Lancaster, his Lieutenant, as well in the Kingdom of France as in Aquitan (*tant en nostre Roialme de France come in Aquitaine*) and other where, giving him Power to take and receive in his Name, and by his Authority, to his Peace, Grace, Obedience, and Subjection, all the Cities, Towns, Burghs, Castles, Fortresses, and Places in those Parts, and their Inhabitants, that would come and return into his Peace, Grace, &c. and to remit and pardon all manner of evil Practices (*toutes maneres de Malefices*) Trespasses, Excess, Theft, Homicide, and all manner of Treasons: To re-call all Banished and Exiled Persons, and to re-establish and render to them all their Goods they had forfeited, and to restore them entirely to their Countries, with all their ancient Privileges they were used to enjoy. To give to those that deserved well in his Wars Towns, Castles, Fortresses, Lands, and Rents, &c. in Heritage, during their Lives, or for Years, according to their Deserts. To raise Forces, Taxes, Subsidies, and Aids for the Wars; to collect and to levy them. To shorten this full, long, and extraordinary Grant and Commission, he had Power to do whatever he could do himself, if present. It was Dated at Westminster June 12. 1373. and 47th of his Reign of England, &c.

The Duke of Lancaster having this Power, [2] Prayers having been made for his good Success, [3] arrived with an Army at Calais on the 20th of July, which he divided into three Bodies or Battels, marched through, and pillaged Artois, Picardy, Champagne, Foces, Avergne, and Limosin; and so into Guyen and to Burdeaux, where he came about Christmas with a shattered and unserviceable Army, having [4] lost many Men, and most of his Horses, for want of Rest, Victuals, and Forage, without any Battel or considerable Engagement.

Mezeray [5] reports it to have been the constant Resolution of this King of France, not to hazard any main Battel against the English; but directed his Forces should be so lodged every Night, as next Morning to follow them, always galling and disturbing them, falling upon their Parties, and Detachments keeping so near them, as to prevent their being supplied with Provision and Forage, and by that means to defeat great Armies by little and little, and make them unserviceable; which was the present case: The Duke of Lancaster, though he marched Triumphantly in the beginning, yet toward the latter end of his March, being constantly followed and attended by the Dukes of Anjou and Burgundy, and Constable of France, his Army was baffled without fighting, and mightily weakened.

While the Duke of Lancaster marched thus through France from Calais to Burdeaux, his Father Summoned a Parlement to meet on the morrow of St. Edmund the King, or 21st of November, which was that Year on Monday: In the Writs of [6] Summons to the Sheriffs, were these unusual Clauses, being enjoined to cause to be Chosen Two Dubbed Knights, or the most Worthy, Honest, and Discreet Esquires of the County, and the most expert in Feats of Arms, and no others; ([7] *Quod de Comitatu tuo Eligi facias duos Milites Gladiis cinctos, seu Armigeros de dicto Comitatu Digniores, & Probiores, & in armibus Armorum Magis Expertos*)

[1] *Ret. Fran.*
47 Ed. III. M.
18. A.D. 1373.
John Duke of
Lancaster the
King's Lieuten-
ant in France
and Aquitan.

The great
Power given
unto him.

[2] *Claufr.* 57
Ed. III. M. 25.
Dyrl.
[3] *Mezeray,*
t. 393. *Froiss.*
c. 310, 311.

His ill Con-
duct.

[4] *Walf.* l. 87.
lin. 16.

[5] *F. 393.*
The King of
France his Po-
licy

in marching
his Army.

Summons to
Parlement.
[6] *Ret. Claufr.*
42 Ed. III. M.
13. Dyrl.
A.D. 1373.

[7] *Ibm.*
What & 12th,
Esquires, Cit-
izens, and Bur-
geses were to
be chosen.

pertos & discretos, & non alterius Conditionis :) And of every City of that County Two Citizens, and of every Burgh Two Burgeses (*de discretioribus & magis sufficientibus, qui in Navigio, ac in Exercitio Merchandisarum noticiam habent meliorem*) of the most Discreet and Sufficient, who had the greatest Skill in Shipping and Merchandizing.

The King, Prince, Prelates, Earls, Barons, Great Men, and Commons, being assembled in the Painted Chamber (*le Roi, Prince, Prelatz, Countes, Barons, Grantz, & Communes en la Chambre de Peinte assemblez*) Sir John Knivet then Chancellor, declared the cause of Summons, [8] telling the Lords and Commons they knew well, That after the Peace between the King and his Adversaries of France, apparently broken by them, the King had many times sent great Numbers of Men at Arms, and others, over Sea to recover his Rights, and to restrain the Malice of his Enemies; and lately had sent his Son the King of Castile and Leon, and Duke of Lancaster, with many great Men, and others in great Number, to oppose the Malice of his Adversaries, * who by their Good and Noble Conduct (*quex par my leur bon & noble Government*) and Feats of Arms, have done great Damages and Destructions to his Enemies, as they knew well, to the great Honour, Quiet, and Tranquility of the King, the Clergy, and all others of the Kingdom: That the Sum granted last Parlement to the King in Aid of his Wars, tho' great and heavy upon the People, yet the King expended a great Sum of his own more than that. Further, [9] That the Great Men and others, who ventured their Lives and Fortunes for, and to defend them from their Enemies, ought to be well refreshed and comforted with Force and Aid many ways (*busoignent bien de estre refreschez & confortez de Force & de Aide par plusieurs vies*) and that as speedily as might be, as it was well known to many of them who had been in the same Condition. That also the Enemy of France made himself as strong as he could, not only by his own People and Allies, but by Strangers of divers Countries, and by all the ways he could, both by Land and Sea.

Wherefore (he said) the King beseeched and charged them ([1] *par quoi nostre Seigneur le Roi, vous supplie & charge*) That considering the Perils and Damages might happen to the Kingdom and all the People for these Causes, they would consult upon the matter, and give the King such Advice, as might be for the Safety of him, the Kingdom, and themselves.

And further said, [2] That the Business requiring speedy dispatch, the King would that all manner of Petitions, and other particular Business might remain in suspense, until this had a good Issue: (*Le Roi voet que toutes manere de Petitions, & autres singuliers Busoignes de moergent en suspens tanque cette soit mys a bon fin.*) And then commanding the Commons (*& commanda as Communes*) to consider and give good Counsel and Advice upon the Points above-said, told them they might depart for that Day, and come thither again on the morrow.

At which time [3] some of the Commons, in Name of the rest, went to the Lords, and prayed they might have some Bishop, Earls, and Barons, with whom they might treat and confer, for the better Issue of the Matter was enjoined them (*sur la maniere que*

[8] Rot. Parl. 47 Ed. III. n. 2.
The cause of Summons declared.
The Peace broken by the French.

* This must be in the beginning of their March, and before the Armies of France attended their motion, and hindered their glorious and easy Progress.
[9] Ibid. n. 3.

The Enemy of France makes himself strong, &c.

[1] Ibid. n. 4.

[2] Ibid. The King willeth, That all Petitions and particular Business remain in suspense, until his was dispatched.

[3] Ibid. n. 5. The Commons desire a Committee of Lords to treat with them.

que leur estoient enjoinct) and desired the Bishops of London, Winchester, and Bath and Wells, the Earls of Arundel, March, and Salisbury, Monsieur Guy Bryan, and Monsieur Henry le Scrop. And it was agreed they should go to the Commons, and Treat with them in the Chamberlain's Chamber. And there having been Deliberation between the Great Men and Commons, until Tuesday the Eve of St. Andrew, on which Day the King, Prince, Prelates, Great Men, and Commons, being in the White Chamber, the Commons Granted (*les Communes granteront*) the King an Aid for the Wars against his Enemies, and delivered a Schedule thereof to the King, which was read, and begins thus: (*Les Seigneurs & Communes Dengleterre ont Grante a nostre Seigneur le Roi en ceste present Parlement la Quinzaine, &c.*) The Lords and Commons of England have Granted to the King in this present Parlement a Fifteenth, &c. The effect of the Grant was, Two 15ths to be levied in two Years, according to the ancient manner; to be paid at the Feasts of the Purification and Pentecost: If the War ended the first Year, the Second 15th not be paid. Also Six pence upon every Pound value of Merchandise going out of the Kingdom, except upon Woolls, Leather, and Woollfells, Wine, &c. And of every Ton of Wine Two shillings for two Years, upon the same Condition. Likewise the Subsidy of Wooll to be received after Michaelmas next coming, without Condition for the first Year, and under the same Condition for the second. These were granted so as no other Charge or Imposition might be upon the People of England for those two Years. The Commons prayed what was granted might be spent in maintaining the War; and that no Knights of Shires or Esquires, Citizens or Burgeses returned for this Parlement might be Collectors of this Tax.

All things now went backward in France; nothing from thence but the loss of Towns and small Countries in Aquitan, either by Force or Revolt, many voluntarily and by inclination becoming French, and putting themselves under the Obedience of that King. The Particulars might swell the History; but the knowledge of them at present is not of much moment. * Walsingham says, That when the Duke of Lancaster came out of Gascony into England, in the 48th of Edward III. about the Month of July, all Aquitan revolted from the King of England except Burdeaux and Bayon.

The Pope in this Posture of Affairs was very solicitous to procure a Peace between the Two Nations, and used all Endeavours towards it, and oftentimes prayed and required both Kings by his Letters, solemn Messengers, and lastly by his Nuncio's, the Arch-Bishop of Ravenna and Bishop of Carpentras, who frequently went backward and forward between both Parties, to make them inclinable and condescend to a good Peace and Accord between each other, as may be seen in the [4] Record of the following Truce, both in the Preface of the Commission to John King of Castile and Leon, Duke of Lancaster, by Edward III. and in the Commission of King Charles of France to his Brother Philip Duke of Burgundy: (*Savoir faisons que come nostre tressaint Pierre le Pape, en plusieurs fois nous prie & requiert par ses Lettres & fait prier & requier, par ses solennes Messagers, & Darreinement par Reverentz Piers in Dieu l'Ercevesque de Ravenna, & l'Evesque de Carpentras, de incliner & conde-*

The Grant of a Tax.

The French Towns and Countries in Aquitan revolt.

* Fol. 83. lin. 7.

The Pope mediates a Peace.

[4] Rot. Parl. 49 Ed. III. n. 2.

condescendre a bon Paix & Accord ovesque nostre Adversair (so in both Commissions) &c. The Commission to the Duke of Burgundy, bears Date at Paris the first of March, 1374. and 11th of King Charles of France, and 48th of Edward III. and that to the Duke of Lancaster was Dated at Westminster, June 8. and 49th of Edward III.

[5] *Ibm.*
A Truce in
order to a
Peace.

[6] *Ibm.*
A. D. 1375.

[7] *Ibm.*
The Heads of
the Articles.

This [5] Treaty was managed chiefly by the Two Dukes before the Two Nuncios, and by their Mediation at Bruges in Flanders, which produced a General Truce, in order to a Peace between the Two Kings, their Subjects, Friends, Allies, Aidants, and Adherents, and for all their Dominions, Lands, Countries, and Places whatsoever, [6] to begin on the 27th of June, 1375. the Day of the Date of the Truce in 49th of Edward III. and end the first Day of July, 1376. and 50th of Edward III. The Heads of the Articles were these:

All taking of Persons, Fortresses, and other Places; [7] all Pillaging, Robberies, Burnings, and all other Feats of War (tous Pilleries, Robberies, Arceurs, & tout autre fait de Guerre) *through all the Realms, Lands, and Dominions of one Party and the other, to cease during the Truce.*

Neither Party to suffer any Subjects or Allies of the other, to change their Obedience, Subjection, or Alliance.

All Subjects of either Party to remain in the Countries of the other without Arms, and to Trade and dispatch all other Business there without Disturbance; but not to enter into Castles, Fortresses, or fortified Towns without Licence.

Prisoners taken to be released.

No New Forts to be erected.

None of the Subjects or Allies of one Party to do Injury to the Subjects or Allies of the other, or their Friends, by way of Company, Robbery, or otherwise; if they did, to be punished so soon as it came to the knowledge of their Lords, without Request.

All Attempts and Injuries to be repaired without delay.

If the Lands of either Party were invaded by Companions, upon Request they were to assist each other in freeing their Countries of them.

None to demolish the Houses of one Party or the other, nor destroy Fruit-Trees.

If any evil Action, Attempt, or Enterprize happen, it shall not be a Breach of the Truce, nor shall War be made therefore. This Truce was Sealed by the Two Dukes and Pope's Nuncio's at Bruges, on the 27th of June, 1375.

[8] *Ibm.*

There were certain [8] Mutations, Declarations, and Modifications made, by way of Supplement, in reference to this Truce, by the Pope's Nuncio's of the same Date; namely,

That Henry King of Castile (the Bastard) and the Lands he held, should be comprized in the Truce.

That the Duke of Bretagne should in like manner be comprized in it: That War should cease there, and the King of England and Duke to remove their Forces out of the Dukedom without delay during the Truce, all but 200 Men to guard the Towns and Places the Duke held there.

The

The Two Kings to have [9] Commissioners at Bruges on the 15th of September next coming, to Treat of Peace. The residue of the Articles are of less moment.

These were confirmed by John King of Castile and Leon, Duke of Lancaster, with Protestation, That the Title of King of France, given to King Charles, Adversary to his Father, nor the Title of King of Castile, given to Henry his Adversary, might in no manner prejudice either of them or their Titles.

In Winter, the 48th of Edward III. the [1] Earl of Cambridge and Duke of Bretagne were made the King's Lieutenants in France; but went not till the next [2] Spring, for whose good Success Publick Prayers were appointed to be made. In this Expedition [3] there went with the Earl and Duke several Noblemen and Persons of Quality, and in a short time he recovered many of his Towns in Bretagne; and had laid siege to the Town of Campelly, when Sir Nicholas Cariswell and Sir Walter Urswick, were sent to him by the Duke of Lancaster, to quit the Siege, and give over that War, as being included in the Truce made at Bruges.

On the 28th of December next following the Truce, [4] Writs of Summons were sent forth for a Parlement, to meet on the 12th of February: Afterwards, before it met, by Writs Dated [5] the 20th of January, the King thought fit to Prorogue it (*diximus prorogandum*) to the Monday after the Feast of St. George; but it fate not till the next Day, when the Prelates, Dukes, Earls, Barons, and other Great Men, and Commons, Justices, Sergeants of the Law, and others assembled in the Painted Chamber before the King; [6] (*A quel Lendemain s'assemblerent les Prelates, Ducs, Comtes, Barons, & les autres Grantz, & Communes, Justices, Sergeantz de Ley, & autres, en la Chambre de Peynte:*) And there Sir John Knivet declared the Causes of holding the Parlement; which were three:

1. The First and Principal was, To advise about the Good Government and Peace of the Realm of England.
2. The Second, For the Defence and Safety of the Kingdom, as well by Sea as Land.
3. The Third; To take Order for the Maintenance of the War with France, and elsewhere, and how and in what manner it might be done, for the best Profit, quickest Dispatch, and greatest Honour of the King and Kingdom.

And then told them expressly, That what the King always had done, was by their good Counsel, Comfort, and Assistance (*tout dys par leur bons Conseilz, Confortes, & Aides*) for which the King entirely thanked them, and desired they would diligently advise about these Matters, the Prelates and Lords by themselves, and the Commons by their selves, and give their Good Answer (*leur bone Responce*) as soon as they well could.

The Commons [7] went to their ancient Place, the Chapter-House of the Abbey of Westminster, and the Prelates and Lords went by themselves; and there were assigned in Parlement (*fuient assignez in Parlement*) the Bishops of London, Norwich, Carlisle, and

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St. Da

[9] *Ibm.*

[1] *Rot. Franc.*
48 Ed. III. M. 6.
[2] *Claufr.* 49
Ed. III. M. 46.
[3] *Ermyf. cap.*
313.

[4] *Claufr.* 49
Ed. III. M. 6.
Dof.
Summons to
Parlement.
[5] *Ibm.* M. 4.
Dof.

[6] *Rot. Parl.*
50 Ed. III. a. 2.

The cause of
Summons.

The Lords
advise by
themselves,
and the Com-
mons by
themselves.

[7] *Ibm.* n. 8.
A Committee
of Lords as-
signed by Par-
lement to go
to the Com-
mons, &c.

They agree
about the
Grant of a
Subsidy.

[8] Ib. n. 9.

Of Wooll,
&c.

[9] Ib. n. 10.

The Com-
mons pray
Ten or twelve
Persons may
be added to
the King's
Council, &c.

[1] Ib. m.
The King
grants their
Prayer upon
Condition.

[2] Ib. n. 11.

The King's
Officers not
to receive
Gifts, &c.

[3] Ib. n. 15.
The Com-
mons ready to
ayd the King
with Body
and Goods.
Complain of
Evil Counsellors
and Officers.

St. Davids, the Earls of March, Warwick, Stafford, and Suffolk, the Lord Percy, Sir Guy de Bryan, Sir Henry Lescrop, and Sir Richard de Stafford, to go to the Commons and assist them, in Treating, and Confering upon the things before declared: They agreed upon the Grant of a Subsidy, which begins as followeth:

Les Seigneurs & Coes [8] *assemblez en cest present Parlement sanz consideration.* The Lords and Commons assembled in Parlement, having Consideration of the very great Charges and Expences the King hath, and must be at, for the maintaining of his Wars, his Noble Estate, and otherwise, granted him the Subsidy of Wooll, Leather, and Woolfells, as it was granted him in the Parlement holden at Westminster in the 47th of his Reign, from the Feast of St. Michael next coming, when the Subsidy then granted ended, to the end of three years; and the Commons humbly pray the King to be excused, That they gave him no other Subsidy or Ayd for his Wars, for that they were brought so low, and so disabled by the Pestilence, the Murrain among their Beasts, and destruction of their Grain and other Fruits, that they could not do otherwise at present, but promised if any extraordinary Case should happen, they would Ayd him to the utmost of their Power, as they had done before, beyond all the Commons of the World to their Liege Lord.

After this the Commons considering [9] the Mischiefs of the Land, do shew unto the King and Lords of Parlement, That it would be for the Honour and Profit of the King, and the whole Land, which is grieved in divers manners by many Adversities, as well by the Wars of France, Spain, Ireland, Guyen, Britain, and other-where, so that the Officers about the King, without other assistance, were not sufficient for so great Business; wherefore they pray the King's Council may be enforced or augmented with Lords, Prelates, and others, to the number of Ten or Twelve, who should be continually with the King, so as no great business should pass, without their Assent and Advice, nor small Matters without the Advice and Assent of Six or Four of them at least, as the Case required.

The which Request the King understanding [1] it was honorable, and very profitable to him and the whole Realm, granted, provided always that the Chancellor, Treasurer, and Privy Seal, and all other the King's Officers, might execute their Offices, without the presence of any the said Counsellors; which the King was to assign from time to time of such as he pleased, who were to be Sworn to keep this Ordinance, and to do Right to every one, according to their Power, without receiving any Reward for so doing.

That none of [2] the King's Officers should receive any Gifts, Fees, or Rewards, other then their Salaries, Liveries, and Traveling Charges.

The Commons make Protestation, [3] That they were, and always have been, and will be ready to Ayd the King with their Bodies and Goods, to the utmost of their Power; but they say, 'tis true, That if the King had always had about him Loyal Counsellors and good Officers, he had been very rich in Treasure, so as he should not have needed much to have charged his Subjects with

with Subsidy, Taille, or otherways, having respect to the great Sums of Gold which were brought into the Kingdom for the Ransom of the Kings of France and Scotland, and other Prisoners. They also say, it further seems to them, That for the singular Profit and Advantage of some Private Persons about the King, and their Confederates, the King and Realm were much impoverished, and many of the Merchants undone; wherefore they thought it a profitable thing to the King and his whole Kingdom, to have all these things duly amended as soon as might be. And the same Commons promise the King, That if he will do Justice, and speedy Execution upon such as should be found Culpable, and do with them as Law and Reason required, they undertake he would be so rich as to maintain his Wars, and support his other Affairs for a long time, without any great Charge to the Commons; and they say further, That in doing this, he should do a thing Meritorious and pleasing to God, and much for the Encouragement of them, freely to aid him according to their Power: And then propound Three especial Points to be enacted into and amended.

First, Whereas [4] the Staple of Wooll and other Staple Merchandises and Bullion, was lately ordained in Parlement to be at Calais, and no where else, for the great profit of the King and Kingdom, the Advantage and Amendment of the Town, for the Concourse of Merchants, and their continual Residence there, the said Staple, Bullion and Trade is removed from thence, and like to be lost, by the procurement and counsel of the said Private Persons about the King, and their Confederates, for their singular Profit, to the great damage and prejudice of the King and his Realm, and destruction of the Town of Calais.

Secondly, Whereas [5] the King had need for divers Sums of Money for his Wars and otherwise, some Persons by consent and contrivance of the said Private Persons about him, made agreement for divers Sums to the use of the King upon Usury, taking more from the King for Interest then they Bargained for, to the Deceit and grievous Damage of the King.

Thirdly, Whereas [6] the King was Debtor to divers People upon Record in great Sums several had by Assent and Contrivance of the said Private Persons, bargained with his Creditors for the 10th, 20th, or 100th Penny, and procured the King to pay the whole Debt, in Deceit of the King, and his Creditors, for the singular Profit of themselves and Confederates.

Upon these, or some of these Points, [7] several were impeached by the Commons; First, Richard Lyon Merchant of London, and Farmer of the King's Subsidy and Customs: He put himself upon the King's Grace, and submitted his Body, Lands, and Goods to the King's Pleasure: [8] He was adjudged to be Imprisoned during the King's Pleasure, to loose the Franchise of the City, never to bear Office under the King, nor approach his Council or Court. All his Goods and Chartels were seized into the King's Hands, and Inquiry was made in all the Ports concerning his Extortions, since his being Farmer of the Customs.

The Lord Latimer was [9] accused (par clamour des Communes) by the Clamour of the Commons, upon the Heads and Articles, and as a Confederate with Lyon, who tho he seemed to make a

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good

Three special
Points to be
amended.

[4] Ib. n. 16.

[5] Ib. m.

[6] Ib. m.

[7] Ib. n. 17.
Richard Lyon
impeached by
the Commons.

[8] Ib. n. 19.
His Judg-
ment.

[9] Ib. n. 11.
The Lord La-
timer accused.

[1] Ib. n. 28.
His Judgment.

[2] Ib. n. 29.
His great Bail.

[3] Ib. n. 31.
William Ellys accused.

[4] Ib. n. 32.
His Judgment.

[5] Ib. n. 35.
Alice Perers Forfeiture and Banishment.

The Death of the Prince of Wales.

[6] Ib. n. 50.

His Son Richard of Burdeaux brought into Parliament, and made Prince of Wales, &c.

[7] Ib. n. 57.
The Commons Petition about Justices of the Peace.

[8] Ib. n. 60.
The King's Answer.

[9] Ib. n. 145.
The Grievances of the City of London.

good *satisfactory* Defence, yet by the *Prelates* and *Lords* (*in plein Parlement*) in full *Parlement*, was adjudged [1] to be Imprisoned, and make Fine and Ransom at the Will of the King; and further, upon the *Petition* of the *Commons*, the King granted he should never have Office under him, or be of his *Privy Council*: He was [2] *Bailed* by Four *Bishops*, the *Arch-Bishop* of *York* being one, Three *Earls*, the *Prior* of *St. John* of *Jerusalem*, and Twenty six *Barons*, with promise, That during the *Parlement* he should appear before the King and *Lords*, to answer further to the *Articles*, of which he was accused.

William Ellys [3] of *Great Yarmouth*, was also accused (*par la surmyse des Communes*) by the *Surmise* of the *Commons*, as *Deputy* to *Richard Lyon*, Farmer of the *Subsidy* of 6 d. in the *Pound* of all *Merchandises* granted to the King; of many *Extorsions* in *Collecting* of them, and other *Evil Practices*: [4] Notwithstanding his Answer, which seemed *satisfactory* and sufficient, he was awarded to *Prison*, and to make *Fine* and *Ransom* at the King's Will, and to give his *Prosecutors* several *Sums* for *Injuries* pretended to be done to them.

It displeased the King [5] that *Women* should *pursue* and *solicit* *Business* in the King's Court, and therefore forbad all *Women*, especially *Alice Perers*, for the future to do it, upon pain to *forfeit* whatever the said *Alice* could, and to be *banished* the *Realm*.

Sitting this *Parlement*, the *Prince of Wales*, King *Edward's* Eldest Son, died on the 8th of *June*, being *Trinity Sunday*: [6] The *Commons* humbly pray the King, That for the great *Comfort* of the whole *Kingdom* (*en grand confort de tout le Roialme*) he would order the *Noble Child* or *Youth*, *Richard* of *Burdeaux*, Son and *Heir* of *Edward*, late his Eldest Son, *Prince* of *Wales*, to come into the *Parlement*, that the *Lords* and *Commons* might see and *Honour* him as the true *Heir* apparent of the *Realm*; Which Request was granted; and at the same time the *Bishops*, *Lords Temporal*, and *Commons*, applied to the King, to make him *Prince* of *Wales*; Which was done.

The *Commons* *Petition*, [7] That *Justices* of the *Peace* may be named in every *County* by the *Lords* and *Knights* of the *County* in *Parlement*, and *Sworn* before the King's *Council*, and not to be removed without *consent* in *Parlement*, and that they might be allowed *Wages*.

The King's Answer was, [8] They should be named by him, and his *continual Council*, and as to *Wages* he would advise.

The *Major*, *Aldermen*, and *Commons* of *London*, shew unto the King, [9] they were impoverished and brought to nothing by reason their *Franchises* granted and confirmed by him and his *Noble Progenitors*, were *restrained*, and in a great measure taken from them, and assign their chief *Grievance* to be, That any *Stranger* might have a *House* and dwell in the *City*, be a *Broker*, and buy and sell all sorts of *Merchandises* by *Retail*, and *Stranger* sell to *Strangers*, that they may again sell the same *Goods* to others, to the great raising the *Price* of *Merchandises*, and making them *Dear*; Whereas in times past, no *Strange Merchant* used any of these *Practices*, against the *Franchises* of the *City*, by which the *Merchants* of the *City* were much impoverished, the *Navy* or *Shipping* much impaired, the *Private Transactions*

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of the *Nation* discovered by those *Strangers* to his *Enemies*, by *Spies* and others lodging in their *Houses*: And then pray, it would please the King and his good *Council*, in *Charity*, to order in that *Parlement*, that *Merchant Strangers* should be restrained in these *Practices*, and that the *Major*, *Aldermen*, and *Commons* of the said *City*, might enjoy their *Franchises*, notwithstanding any *Statute* or *Ordinance* made to the contrary.

The King's Answer was, [1] That upon *Condition* the *City* might be under good *Government*, to the *Honour* of him, and *Profit* of the *Kingdom*, from thence forward no *Stranger* should have a *House* to be a *Broker*, nor *Sell* any *Goods* by *Retail* within the *City* or *Suburbs*, notwithstanding any *Statute* or *Ordinance* to the contrary, saving to the *German Merchants* of the *Hanse-Towns*, their *Franchises*, Granted and Confirmed to them by the King and his *Progenitors*. According to the *Purport*, and *Effect* of this Answer, the *Major*, *Aldermen*, and *Citizens* of *London* obtained the King's *Letters Patents*, Dated the 4th of *November* next following.

The *Commons* *Petition* the King, That whereas great *Riots* [2] were committed in several parts of the *Nation*, by great numbers of *Armed Men*, that the *Sheriffs* might raise the *Posse Comitatus*, or *Power* of the *County*, to suppress them, and that the *Sheriffs* and *Justices* of *Peace* might inform the King's *Council* of such *Rebels* (*de tiels Rebelles*) as refused to go with them.

The Answer was, [3] The King by *Advice* of his great *Council* would order *Remedy*, if need were, but in the mean time let the *Statutes* concerning that Matter be put in due *Execution*. This *Parlement* ended July the 6th, in the 50th of *Ed. III.*

Whether the Two Kings sent their *Commissioners* to *Bruges* on the 15th of *September* 1375, as was agreed on, or if so, what was done then, I find not, however the *Truce* continued; for in the next year, in a *Commission* to *Thomas de Felton*, *Seneschal* or *Steward* of *Aquitan*, and others, Dated the 28th of *May*, in the 50th of *Edward* the Third, for *Reforming* whatever had been done against the *Form* of the *Truce* in that *Dutchy*, and punishing the *Offenders*, it appears, that the *Truce* had then been lately renewed and prolonged from the last day of *June* next coming, when it was to have ended, to the first of *April*, which should be in the year 1377, or 51st of *Edward* the Third. *Holinshed* says, it was again continued to the first of *May*, and then the *War* opened.

But the King many months before the *Expiration* of the *Truce*, had notice of a *Design* forming against him by the King of *France*, having made an *Alliance* with *Spain* and *Scotland* to that purpose, wherefore on the first of *December*, in the 50th of his *Reign*, he issued [4] *Writs* for a *Parlement* to meet on the *Quinder* of *St. Hillary*, or 27th of *January* next coming, at *Westminster*, which was held by *Commission* to the *Prince* of *Wales*, then about 10 years of *Age*, the *Bishop* of *St. Davids* being *Chancellor*.

Who [5] in his *Declaration* of the *Causes* of *Summons*, moved the *Lords* and *Commons* to a due *Love*, *Affection*, and *Obedience*, toward the King and his *Grandchild* the *Prince* of *Wales*, and then tells the chief *Cause* of *Summons* was for the *Defence* of the *Land*, for that the King having at the Request of the *Pope* agreed

They pray
Remedy.

[1] Ib. n. Ro.
The King's
Answer upon
Condition,
&c.

His Letters
Patents to the
same purpose.

[2] Ib. n. 164.
The Com-
mons Peti-
tion against
Riots.

[3] Ib. n. Ro.
The King's
Answer.

The last Truce
continued.

Fol 411. col. 1.
n. 60.

The King of
France design-
ing against
King Edward.

[4] Clause
50 Ed. III.
M. 6. Des.
Pitt. 2.
H. calls a
Parlement.
[5] Rot. Parl.
51 Ed. III.
n. 11, 12, 13.
The Declara-
tion of the
Causes of
Summons.

agreed

agreed to a *Treaty of Peace*, and that there was a *Truce* made for a time, while a *Peace* might be made, which *Truce* his *Adversaries of France* had broken, and was preparing for War, and by the assistance of *Spain, Scotland, and other Enemies*, to destroy the *King's Kingdom, and English Language*; To obviate this Design, and the Malice of his Enemies, and to Maintain the Peace of the Nation within and without, by their Counsel and Advice, was his great Intention, as also to know how the Expence of the War should be provided for; and for that it was not fit for a *Bishop* to say any thing against the *Pope, Monsieur Robert de Ashton, Chamberlain to the King, was appointed to propound* how further Provision might be made against his *Usurpations*, as should by a Bill be shewed in this Parlement.

[6] Ib. n. 18.

At another [6] meeting of the *Prelates, Lords, and Commons* in Parlement, the *Commons* in the King's Name were directed to go to their Old Place the *Chapter House of the Abby of Westminster*, there to treat and advise how due Resistance might be made to the Enemies of the Nation, for the safety of the *King, Kingdom, Navy, and themselves*, and how Money might be most speedily raised to the least Grievance of the People; The *Prelates and Lords* Treating likewise about the same Matters, there was assigned in Parlement, to have Conference with the *Commons* for their better Information, the *Bishops of Lincoln, Chichester, Hereford, and Salisbury, the Earls of Arundel, Warwick, Salisbury, and Stafford, the Lords Percy, Roos, Fitzwalter, and Bassett*.

A Committee of Lords appointed by Parlement to Treat with the Commons.

[7] Ib. n. 19.

To Maintain his [7] Wars, considering the great Charges the King was to be at for them, the defence of the Kingdom and otherwise, the *Lords and Commons* Grant him Four pence of the Goods of every Person (*des biens de chescune persone*) of the Kingdom, Male and Female, above Fourteen years of Age, except very Beggars; and most humbly pray their Liege Lord, he would please to excuse them, that they could grant him no greater Subsidy, being most willing to have done it, but that they were so impoverished of late by great Losses at Sea, as otherwise, (*par grands perdes sur la mer come autrement*) that they were unable at present.

[8] Ib. n. 20. Treasurers for the Tax.

And the *Commons* [8] prayed the King, he would please to Name Two *Earls*, and Two *Barons*, that should be *Treasurers* as well of this Subsidy, as of that the *Clergie* was yet to grant, and also of the *Subsidy of Wooll, Pelts, and Leather* granted the last Parlement, and that they might be Sworn in their presence, That what was Received by them, should wholly be expended upon the Wars, and not otherwise; and that the High *Treasurer of England* should receive nothing, or any ways meddle herein.

[9] Ib. n. 21. Who were laid aside, and the High Treasurer made Receiver.

But afterwards, when they had [9] considered what Sum, the *Wages* of such Four *Treasurers*, would amount unto by the year, (*quel somme les Gaiges des sieux quatre Tresoiriers, resident sur celle fait amoneroit per an*) the *Commons* departed from this Request, and prayed the High *Treasurer* might be Receiver to the use of the War in manner accustomed.

[1] Ib. n. 32. The Commons Petition.

The [1] *Commons* in this Parlement beseeched the King, That the Patent lately granted (*viz. November the 4th, as above*)-by the great Council, to the *Major, Aldermen, and Commons of the City*

City of London, upon the Article, That no Strange Merchant ought to Sell to another Strange Merchant, any Goods or Merchandise, to Sell again, in manner as in the said Patent is more fully contained, might be renewed, and granted as well to other *Cities and Burghs* as to them, with a *Charter or Clause* of Confirmation; Of which Patent the Copy follows:

That the Patent granted to London, might be granted to other Cities and Burghs.

A Edward [3] King of England, &c. To whom these present Letters shall come, Greeting: Our Beloved and Faithful the Major, Aldermen, and the rest of the Citizens of the City of London, by their Petition exhibited before us and our Great Council, containing amongst other things, That for that all Strangers do freely sell all sorts of Merchandise whatsoever, within the Liberty of the said City, that they may be sold again as the Citizens do; whereas the said Strangers, according to the Liberty of the said City anciently obtained, ought not, nor could so do: Whereby as well the said Citizens are much impoverished, and Goods and Merchandise much more dear, &c. for Relief of the Citizens, and Common Profit of our People, under a grievous Forfeiture to us to command they shall be restrained. We being favourably inclined to the said Petition, Will and Grant, That no Stranger within the Liberty of the City aforesaid, shall sell any Merchandise to a Stranger, or any ways presume to do it, that they may be sold again, until by the Noble and Great Men of our Kingdom (per Proceres & Magnates Regni nostri) it shall be duly debated in our next Parlement, whether our present Grant may for the future redound to the Disprofit, or Common Profit of our People: Saving always to the Lords of our Kingdom, and all others, that they may buy such Merchandise of all Men in Grofs for their own Use; and saving also to the German Hanse Merchants the Liberties Granted and Confirmed to them by us and our Progenitors. In Witness whereof we have caused to be made these Letters Patents. Witness our self at Westminster, Novemb. 4. in the Year of our Reign of England 50th, of France 37th.

[3] Ib. Rat. Parl. 51 Ed. III. n. 33. The Patent it self.

The Answer to the Petition above, with which this Patent was delivered and presented by the Commons, was,

Le Roy [4] voet estre informé: The King will be informed.

At the same time the [5] *Commons*, with the *Major, Aldermen, and Commons of the City of London*, Petition the King, That for divers Mischiefs that often happened in the said City, by reason the *Coroner* was not Justifiable (*nest pas justifiable*) by the *Major, Aldermen*, or other Officers: That they might chuse a *Coroner* of themselves, and remove him when they pleased, as it was practised in many Cities and Towns of the Land, they answering to the King in manner as appertained to the said Office. The King's Answer was,

[4] Ib. R. The Answer to the Petition.

[5] Ib. n. 34. A Petition of the Commons and Citizens of London about their Corner.

Le Roy [6] my voet, mye depart a son ancien Droit: The King will not depart from his ancient Right.

The *Commons* Petition the [7] King, That for many Causes well known to his *Privy Council* as to them, That it would be profitable to the Kingdom, that all manner of *Foreigners* were commanded out of it during the Wars, unless they were *Merchants and Artificers* which were not Adherents to his Enemies, and such as their stay were advantageous to the Realm; and for that he was their Liege Lord (*& par le que voz estez nostre Seigneur Liege, &c.*) and had the Power of doing Justice in Right of his

The King's Answer to it.

[6] Ib. [7] Ib. n. 35. The Commons Petition that Foreigners might be removed out of the Land, &c.

his *Crown*, in all things Temporal within his Kingdom, and that they have no *Obedience* of any thing *Temporal*, but to him as their *King* and *Liege Lord*: That he would please to *Order* and *Command*, That none of his *Lieges* be *Farmer* or *Servant* to any that have *Estates* in *England*, unless to such as inhabit there, or such as were in his *Loyalty*, and had special *Leave* to live out of the Kingdom: And that he would please to *Command* his *Sage Council*, to add more to this matter, that might be needful for the Amendment and Profit of his Kingdom. And they all his said *Commons* make *Protestations* before God Himself, and all the *Prelates* and *Clerics* which were at that *Parlement*, That their *Intent* and *Will* was, That the *True Estate* of *Holy Church* shall not by them be *Blemished* in any *Point*, but otherwise preserved and kept safe, according to your *Pleasure*. The Answer was,

Le Roy & les [8] *Grantz de la Terre s'adviserent, & en ordeneront que mien & y soit Affaire*: The King and the Great Men of the Land will Advise, and order what is best to be done.

And further in this case they Petition, [9] That all *Provisors* of *Benefices* from *Rome*, and that their *Officers* or *Servants* may be put out of the King's Protection, if they Sue, Prosecute, or any way Disturb, or cause to be *Excommunicated* the *True Patrons*. This was the Answer:

The Pope hath promised *Redress*, [1] and if he makes it not, the *Laws* in this case shall be in force.

Amongst their Petitions in this *Parlement* we find the [2] *Commons* pray the King and *Noble Lords* of *Parlement*, That whereas in the last *Parlement*, by *untrue Suggestions*, and without due *Process*, the *Lord Latimer*, one of the *Peers* of the *Realm*, and sufficient to be of the King's Council, as well for his Wars as otherwise, was outed of all *Offices*, and *Privy Council* with the King (*estoit mistrez de toutz Offices, & des Privez Confelx entrour le Roy*;) That he may by Award of this present *Parlement*, be restored to his former *Estate* and *Degree*, to the great Profit of the Kingdom.

The King [3] willeth, at the *Prayer* of several *Prelates* and *Lords* of *Parlement* (*d'aucuns Prelates & Seigneurs de Parlement*) and also at the *Prayer* of the *Commons*.

In the last Day of the *Parlement*, when the *Petitions* of the *Commons* had been read and answered, the *Speaker* Sir Thomas [4] *Hungerford*, said before the *Prelates*, *Lords*, and *Commons*, That whereas many People, as well Men as Women, had been *Impeached* in the last *Parlement* without due *Process*, and were judged in certain *Peynes*, and foreclosed of the *commune Liberty*, which every *Loyal Subject* ought to enjoy; and therefore prayed it would please his Majesty, to restore them to their former *Estates*, *Dignities*, and all other things, notwithstanding those judgments: The King presently demanded, If their Request was made for all that were impeached? And he answered, Their Request was all. It was then told them, They must declare distinctly in Writing, for whom and why they Petitioned: And presently the same Day Seven Bills (*i. e.* *Petitions*) were delivered to the

Clerk

[8] *Ibm. Ro.*
The King's
Answer.

[9] *Ibm. n. 36.*
They Petition
against Provi-
sors.

[1] *Ibm.*
The King's
Answer.

[2] *Ibm. n. 75.*
The Commons pray the
Judgment a-
gainst the
Lord Latimer
may be rever-
sed.

[3] *Ibm. Ro.*
The King
grants their
Prayers

[4] *Ibm. n. 87.*
The Speaker
prays, That
the judgments
against all
such who had
been impeach-
ed last Parle-
ment, might
be reversed.

Clerk of the *Parlement*, whereof the first Two do here fol-
low:

To our most [5] *Dread and Noble Lord* our Lord the King pray the *Commons* of your *Realm*, That whereas your *Liege* Rich. Lyon, by *hasty Process* was adjudged to the Tower of London during your Majesty's *Pleasure*; That it would please your *Gracious Lordship* (*que ple a vostre Gracieuse Seigneurie*) to Grant him your *Favour* to be restored to the *Law*, his *Goods*, *Land*s, and *Tenements*; for according to *Law* no *cause* of *Forfeiture* could be found in him.

To their [6] most *Dread and Gracious Lord* the King and his *Sage Council* in this present *Parlement*, his *Commons* make *Supplication* (*supplient les Comunes*) That whereas Alice *Perrers*, by *untrue Suggestion*, and *undue Process*, was in the last *Parlement* foreclosed of the *Common Liberty*, which every *Loyal Liege* of the King, as well Men as Women, ought freely to enjoy, unless they be convicted of a *Crime* or *evil Deed*, for which they are to forfeit it, they would please, for the Love of God and right Justice, to have Consideration, That the said Alice was never present in *Parlement*, nor otherwise duly admitted to answer any thing for which she was judged, and for this cause to repeal the *Judgment*, if any were, and cause her to be restored entirely to her former *Estate*; the said *Judgment*, or any *Prohibition* made against the said Alice in the same *Parlement* notwithstanding.

The other Five Bills or Petitions were according to this Form for five other Persons; namely, *John de Leycester*, *Adam de Bury*, *Walter Sporer*, *John Peachy* of London, and *William Ellys* of *Yarmouth*.

But there was not, nor could be any Answer made to them, [7] because the *Parlement* ended the same Day before any thing could be done in them.

Sitting this *Parlement*, the [8] King was informed the *French* were gotten to Sea, and had done much hurt upon the Coasts; wherefore he endeavoured to prolong the *Truce*: To which purpose, on the 20th of [9] Feb. he appointed several *Commissioners* to Treat with the *Commissioners* of the King of France, before the Pope's Legates; but nothing was done in the matter; the Legates only propounded a *Match* between *Richard Prince* of Wales, and *Mary* the King of France his Daughter. And afterwards there was another Meeting of *Commissioners* at *Monstreul*, without other effect than continuing the *Truce* until the first of May next following, as was before noted out of *Holinshed*.

Mexeray [1] says King Edward was now much desirous of Peace, and was willing to relinquish many Articles of the *Treaty* of *Bretigny*; but was prevented by Death.

On the 26th of April, another [2] *Commission* was made to the *Bishop* of *St. Davids*, *John Bishop* of *Hereford*, and others, by which Power was given them to Treat at *Monstreul* with the *French Commissioners*, and to compose all Differences, Wars, and Contentions: But by reason of Jealousie and Suspicion the *Commissioners* had one of another, they never met.

This Year *John* [3] *Wyclif* was convented before the *Arch-Bishop* of *Canterbury* and *Bishop* of *London*, for his Opinions contrary to the Opinions of those Times, at the *Black-Friers*, *London*, where

Q 9

[5] *Ibm. n. 88.*
The same
Prayer for the
impeached
Persons in
particular.

[6] *Ibm. n. 89.*

The Parle-
ment ended.
[7] *Ibm. n. 95.*

[8] *Class. 51*
Edw. III. M.
16.

[9] *Rot. Fran.*
51 *Ed. III. M. 7.*

The Truce
continued.

[1] *Fol. 394.*

[2] *Rot. Fran.*
51 *Ed. III. M. 3.*

[3] *Walsf. 191.*
192. *Knights.*
col. 2647. n.
10.

How *Wylfif* behaved himself at this time. See the latter end of *Church-Affairs* in this Reign.

The Citizens of *London* their Rage against *John Duke of Lancaster*.

[4] *Holinsh. f. 412. n. 30. Hypod. Noustr. f. 53. n. 40. King Edward's Death.*

[5] *Wals. Hist. f. 192. n. 30. Hypod. Noustr. f. 531. n. 50.*

where were present *John Duke of Lancaster* and the *Lord Percy*. The Duke gave the *Bishop of London* some harsh words; which gave the *Citizens* such Disturbance, that they in a great Tumult would have murdered him, and pulled down or set fire to his House called the *Sevoy*, had not the *Bishop* interposed, and kept them from doing it. To save himself he left his Dinner, and got privately away to *Kemington* near *Lambeth*, where the *Prince* was with his Mother: So that not finding him, they only in the Streets reversed his Arms, as if he had been a Traitor. For [4] this the present *Major* and *Aldermen* were put out of their Places, and others put in by the Duke's Power, who then in the King's Weakness and Infirmities was his Assistant and Viceroy, and had Directed all the Affairs of the Nation for some time; of which Infirmities and Sickness daily encreasing, [5] he Died at his House of *Shene*, June 21. 1377. having Reigned 50 Years, 4 Months, and 28 Days.

Church-Affairs.

THE old Controversie was still continued, *inter Regnum & Sacerdotium*, between the Secular and Ecclesiastic Governments, or between the King and Pope concerning the *Regalia* in Church Matters, and concerning the Clergy. In the 4th of his Reign, the King [1] wrote to the Pope (which was *John XXII.*) concerning the Treasury of *Tork* having been given by Provision to a Cardinal, against the Rights of his Crown and Prerogative, and to the inestimable Damage of the Kingdom, that he would revoke his Provision; and supplicates him to direct the Cardinal not to contend against *William de Maza* his Clerk, that was in Possession of it by his Presentation, about such a Novelty and Usurpation; it being his, and always had been the Right of his Progenitors, in the Vacancy of the Arch-Bishoprick; and to strengthen that Right, vouches a Precedent in the Court of *Kings-Bench*, in the time of his Grandfather *Edward I.*

He also [2] wrote to *Robert de Wodehouse* Arch-Deacon of *Richmond*, That he had notice, that he and some others were contriving, by divers Processes, to put the Cardinal in corporal Possession of the Treasury of *Tork*, to the great Prejudice of his Crown; and strictly prohibited him, That he should do nothing to the impairing of his Right; and if any thing had been done by himself, or others by his procuring, he should without delay revoke it: And so behave himself in this matter, as he might not have cause grievously to chastise him as a Violator of the Rights of his Royal Dignity. After the same manner Directed his Writs to these under-written:

The

The Arch-Bishop of Canterbury,
The Bishop of Lincoln,
Master Marmyon,
The Bishop of Worcester,
The Bishop of Salisbury,
The Prior of Lewis,
The Prior of Linton,

The Dean of the Church of Aukland,
Mr. Richard de Byntworth,
The Arch-Deacon of Lincoln,
Mr. Icher de Concoret,
Mr. Guido de Calm.

In the 10th of his Reign, the King [3] wrote to the Pope (*Benedict X.*) That his Progenitors had long since Founded and Endowed the Church of *England*, and freely collated to the Cathedral Churches by their Royal Right: That afterwards upon the Petition of the Clergy, and for the Reverence and at the Request of the Pope that then was, the King that then was Granted to the Chapters of the Cathedral Churches, Power of Chusing a Bishop when the See was void, saving to him and his Successors the Prerogative, That when the Church was void, the Chapter should let him know it, and make their Request to have Licence to Chuse a Bishop; and when he was Chosen, to present him to the King for his Assent, before he proceeded further in the Business of his Election: And then after he had been Confirmed, he was to request of the King the Temporalities belonging to the Bishoprick, and do him Fealty for them. And what was done against this Form, was void. That the Bishoprick of *Norwich* being vacant, he had given the Prior and Chapter leave to Chuse, who presented their Elect to him; but having a desire to be fully satisfied concerning something he had heard of him, before he gave his Consent, by the Advice of Wise Men, he gave him a short Day to receive his Answer: But he scornfully rejected this way of Proceeding, and prosecuted the Business of his Election in the Court of *Rome*, to his Reproach, and in Contempt of his Royal Right, the Depression of his Royal Prerogative, and manifest Danger of Disinheritance. Wherefore he implored his Favour to take the Premises into due Consideration, and deny him Audience for the Confirmation of his Election, until he had obtained his Assent, according to the Form aforesaid; which he was ready to grant without difficulty, if there was no reasonable cause for which he ought not to do it: Concluding, That if he should not take notice of this Supplication of the Elect of *Norwich* to the Pope, yet his Subjects would not suffer it.

The King supposing [4] the Pope's Chaplains and Auditors of his Sacred Palace (who were such to whom the Pope referred the Hearing of Causes in his Palace) though otherwise good Lawyers, yet might be ignorant of the Laws and Customs of *England*, wrote to them, and gave them notice, That all Causes about Right of Patronage whatsoever, were pleaded, determined, and ended in his Court before his Justices, and ought not to be discussed any where else: Then, That if any Man Married a Woman that was *Parsoness* of any Church or Ecclesiastic Benefice, and had Issue by her, and she died before him, upon any Vacancy he was to present during his Life, and his Cleric was to be instituted by those unto whom it belonged: And further, That if any Tenants in Capite died possessed of Lands, to which the Patronage of any Bene-

[3] Append. n. 98.

[4] Rat. Rom. 16 Ed. III. n. 2.

Benefices were annexed, that if there hapned any Vacancies after the Death of the Tenant, while the Lands were in the King's hands, it was his Right to present to them. And therefore desired, that if any of these Matters came before them, they might be duly considered, and nothing done in prejudice of his Court, or the Laws of his Kingdom.

And in these [5] Presentments, as also of those made in the Vacancies of Arch-Bishopricks, Bishopricks, a Plenarty, or that the Church was full, was no more an Exception or Plea against the King, than if they had been made in Right of his Crown, until by the Statute for the [6] Clergy, made upon the Petition of the Arch-Bishops, Bishops, and Clergy, in the 14th Year of his Reign, Chap. 2. he granted it should be a Barr to him and his Heirs. Before that, the King had his Remedy against the Incumbent, if he had not been duly presented: For then *Institution*, though upon a wrong Presentation against a common Person, made a *Plenarty*; but to make it against the King, Induction or actual Possession of the Church, was also required: Yet before this Statute neither could be pleaded against him.

In the 17th Year of his Reign, there was Complaint made in Parlement [7] of Strangers holding so many Benefices in England; That the *Alms* which wont to be, were not performed; That much of the *Treasure* of the Land was carried beyond Sea, for the Maintenance of the King's Enemies, the *Secrets* of the Nation discovered, and by this means the Able and Loyal Clerics of the Nation the less advanced: That of late there were many Cardinals made, to Two whereof the Pope had granted, by his Bulls, Benefices in this Land, to the value of Six thousand Marks: (*Sur ce ore de novel plusieurs Cardinalz sont faitz, dont le Pape par ses Bulles ad grantez as deux de eux, Benefitz en ceste Terre a la Montance de vj. M. Marcs.*) That the Commons understood, that one of the Cardinals, namely, he of *Perigort*, was the most fierce Enemy, and the most against the King's Designs of any in the Court of Rome: That in time the Nation by such Grants would be filled with Strangers, and in a short space no Cleric of his Country, though the Son of a Great Lord, or other, would find any Benefice to which he might be advanced; and this to the great Damage of the King and whole Commons, by reason of such *Reservations* and *Provisions*: For which things the Commons pray Renedy (*par la dite Commune ne le poet, ne le voet plus endurere*) for that they could not nor would longer endure it; because all the *Foundations* and *Advowsons* of Arch-Bishopricks, Bishopricks, Abbeys, Priors, Churches Parochial, and the whole *Spiritual Revenue* of this Land, were of the *Foundations* of the Kings, Earls, Barons, and the Commons, (*sont des Fundacions des Roys, Comtes, Barons, & de la Communes.*) That it would please the King to write to the Pope under his Great Seal, and the Peers and Great Men of the Land under their Seals, That he would cease from putting these Burthens upon the Nation, and revoke what he had done. And if any of the Peers or Great Men would not Seal such a Letter, the Commons would not hold him a Well-wisher to the King's Profit, or theirs: And in case the Pope should not comply with what was desired, they pray the King to encourage and maintain such as should, and would endeavour to remove this Burthen, and put

[6] Stat. at large, 14. Ed. III.

[6] Ibid.

[7] Rot. Parl. 17 Ed. III. n. 19.

put such out of his *Protection* as would not. They also pray him to Command all the Peers and Great Men of the Land, to stay at this Parlement quietly, until these things should be perfected and sealed as above: *Et la Commune pri a nostre Seigneur le Roy qil voille comander as touz les Piers & Grantz de la Terre qils demoeigent en pees a le Parlement tanque ceste choses soient perfaictes & enseales sicome dessus est dit.*) And for the great Damage that might happen in the mean time, he would please to grant his *Prohibitions* to the Ministers, and Proctors of the Great Bishops, not to meddle in this matter, until the Pope had wrote back his Pleasure.

The [8] Answer to this was, That the King understood the Mischief, and would that the Great Men and Commons should order Remedy and Amendment, and he would agree to it (*& voet que entre les Grantz & les Communes soit ordeigner Remedie & Amendement, & il sacorder.*) And also the King would and agreed, That Letters should be wrote to the Pope about this matter, as well by himself, as also by the Great Men, and by the Commons.

And [9] then the Earls, Barons, and other Nobles, and the whole Communalty of the Realm (*& puis fu prier a nostre Seigneur le Roy en ce Parlement par Counts, Barons, & autres Nobles, & tote la Communalte du Roialme*) prayed the King, That for to avoid and set aside the Damages, Grievance, and Oppression of the People, and Holy Church of England (*& de Saint Eglise d'Angleterre*) which were done there by the *Reservations* and *Provisions* of the Court of Rome (*par Provisions & Reservations de la Court de Rome*) as well of Benefices, as of First-Fruits; and by Impositions of Tenths, and other Burthens, in Disheriting as well the King and his Crown, as the said Earls, Barons, and other Nobles, he would please to command to be considered certain Petitions of the Earls, Barons, and Commons of the Realm in the time of his Grandfather, in his Parlement holden at *Carlisle*, in the 35th Year of his Reign; and also the Agreement and Judgment made upon them in that Parlement. Their Prayer was granted, and search was ordered to be made in the Rolls and Remembrances of the said Parlement, where amongst other things it was found, That upon the shewing of the Earls, Barons, and Commons their Petitions, That Holy Church in this Nation had been founded in the State of Prelacy, by his Grandfather and his Progenitors, the Earls, Barons, and their Antecessors, to inform the People in the Holy Faith, and for Prayers, Alms, and Hospitality, to be made, done, and kept in the Places where the Churches were founded, for the Souls of the Founders and their Heirs, and all Christians: And that certain Possessions and Lands, in Fee and Advowsons, to a very great Value, were assigned to the Arch-Bishops, Bishops, Abbots, Priors, and other Houses of Religion, by your said Grandfather and his Progenitors, Earls, Barons, and other Great Men of the Realm and their Ancestors; and that they in the time of Vacancy of such Prelacies and Houses, as Lords and Advowees or Patrons, had and ought to have the Presentments and Collations of all manner of Benefices of the Advowry or Patronage of such Prelates, to give them to *Englishmen*, * who had Great Place with his Grandfather, and the Great Men above-said,

[8] Ibid. Ro.

[9] Ibid. n. 10.

The Statute of Provisions made at Carlisle, Ed. I.

* Write of the King's Council.

laid, for their Knowledge and Advice, when they had occasion to make use of them: And that the Pope that then was, had appropriated to himself the Gifts of such Possessions and Benefices, by his Provisions and Reservations, and gave and granted Dignities, Prebendaries, and Churches, to such as never Resided in England, and to Cardinals and others, as well Strangers as Englishmen, which could not Reside here, as if he had been true Patron and Advowee of Right, as he was not: For which things if they should be suffered, within a short time, there would be no Benefice in the Gift of such Prelates, but by such Provisions would be in the Hands of Strangers, contrary to the Will and Intent of the Founders; and so the Elections of Arch-Bishops and Bishops would fail, Prayers, Hospitalities, and Alms, which ought to be performed, would cease, and his Grandfather, and other Lay Patrons, in times of vacancy, would lose their Presentments and Collations, and the said Council would * perish, and the Goods of the Nation in a great measure carried out of the Kingdom, to the undoing of the State of the Holy Church of England, (*de sainte Eglise D'engleterre*) and the Disinheriting of his Grandfather and his Crown, (*& des autres Nobles du dit Roialme*) and of other Nobles of the Realm, and in Offence and Destruction of the Laws and Rights of the Kingdom, to the greatest Damage and Oppression of the People, and Subversion of the State of the whole Nation, contrary to the Will and Ordinance of the first Founders.

By the Assent of the Earls, Barons, Nobles, and Commonalty, considering intirely the Errors and Damages aforesaid, in the said Parlement of Carlisle, it was Provided, Ordained, Decreed and Considered, That the forenamed Grievances, Oppressions, and other Damages and Errors aforesaid, from thenceforth should not be suffered, to be done in any manner; Whereupon the said Grandfather, by his Writs, forbad all such as it concerned, to attempt or do any thing that might turn to the Blemishing of his Royal Dignity, or in prejudice of the Nobles, or his People; and further, he commanded all the Sheriffs, by his Writs, That if by Enquests taken, any could be found doing to the contrary, they should take their Bodies, and bring them safely before him at a certain day, to answer as well to him as others that would complain against them, and to do further, and receive what the Court should award in this Case.

Wherefore our Lord the King, (Edward the Third) in this present Parlement, at the Suit of the Commonalty, making Suggestion, by their Petition before him and his Council, of many Errors, Damages, and Grievances, that many times happened by such Provisions and Reservations, as well of Benefices, as First Fruits, and other things whatsoever; Of Impositions of Tents, and other Burthens by the Pope lately made; To the Slander, Dishonour, and Depression of the whole Church of England, and Disinheriting of our Lord the King and his Crown, and other Nobles of the Kingdom, and in Offence and Destruction of the Laws and Rights thereof, and most grievous Damage of his People, and Subversion of the State of the whole Realm, against the Will of God, and the good Design of the Founders of these Benefices, and against the Provision, Ordinance, Accord, De-

cree,

* For want of Bishops, and able Dignified Persons of his own Nation, of which then the King's Council most-ly consisted.

cree, and Consideration aforesaid, made by his Grandfather and Council; and they pray the King he would please to have regard to the Church of England, to the Indemnity and Disinheriting of himself, the Earls, Barons, Nobles, and Commonalty, and Ordain Remedy; He by Assent of the Earls, Barons, and Nobles, and the Commonalty of his Realm, Provided, Ordained, Accorded, Decreed and Considered, That as well within the Franchise of the Cinque-Ports as other-where upon the Sea Coasts, and thro all the Counties of the Kingdom, as well within Franchise as without, open Proclamation should be made, That none of what Estate or Condition soever he was, be he Stranger or Denizen, should from henceforward bring, or cause to be brought, upon grievous forfeiture to the King, Letters, Bulls, Process, Reservations, Instruments or other things prejudicial to the King or his People, to deliver to Arch-Bishops, Bishops, Abbats, Priors, Earls, Barons, or any others within the Realm, and that none by virtue of such Provisions or Reservations receive Benefices of Holy Church, and that none upon the forfeiture aforesaid, receive or take such Letters, Bulls, Process, or Instruments touching such Provisions, and Reservations, nor by reason thereof make Institution or Induction, or any other manner of Execution of them; and that none do, or suffer to be done any other thing that may be prejudicial to the King or his People, or Blemish the Rights of his Crown, or the Provisions, Ordinances, Accords, Decrees and Consideration aforesaid. And also it was further agreed, That diligent search should be made in all Places needful for all and every one coming into the Kingdom, and that all who shall be taken by such Search, or Enquest to be taken, or by other Information, bringing Letters, Bulls, Process, Reservations, Instruments, or other things prejudicial to the King or his People; and all those who by them, receive any Benefices, and place themselves in, or be received into them; And also those that by Authority of such Letters, Bulls, Process, Reservations, or Instruments, shall or do make any Appeals, Citations, or Process against the Patrons of the Benefices, or those they have Presented, or any others, or shall Prosecute or cause to be Prosecuted in any Court whatever, where they have done, or procured to be done any thing in prejudice of the King, or the Earls, Barons, Nobles, and Commonalty aforesaid, or of the Provisions, Ordinances, Accords, Decrees, and Consideration, and against the Proclamation and Inhibition aforesaid, shall be taken and arrested by their Bodies, and the Letters, Bulls, Process, and Instruments upon such Provisions, and Reservations, shall be taken from them, or others wherever they are to be found, and sent before the King's Council with their Bodies, that brought them into England, Wales, Ireland, or the County of Chester, or Prosecuted any Execution of them; with the Bodies of all others that shall be taken and arrested for the cause aforesaid, to take and receive what the Court shall award; and that hereupon Writs to that purpose be sent thro the whole Realm.

According to this Agreement, a Proclamation and Writs were issued, but without effect; for in the Parlement [1] next year, which began Eight days after Holy Trinity, the Commons prayed the King, [2] That the Provisions, Ordinances, and Accord made

[1] Clause 18 Ed. III. Part 1. M. 14. Durl.
[2] Rot. Parl. 18 Ed. III. n. 33.

in

in the *Parlement* of the 17th year of his Reign, concerning the Provisions and Reservations (*de la Court de Rome*) of the Court of *Rome*, might be confirmed and made a perpetual Statute.

[3] Ib. n. 36.

It was also [3] ordered, That the *King* present to the Prebends, Dignities, Churches and Chappels, of such as lived in his Enemies Countreys, or seize them into his Hands, and employ the Profits in *Defence* of the Land, and Holy Church, except so much as should maintain the Houses, and provide for Divine Service; [4] and that any one who should bring any thing prejudicial to this Order from beyond Sea, should be taken and carried back again.

[4] Ib. n. 37.

[5] Append.
n. 99.

And further, That these *Writs*, and *Proclamation*, were of no effect, it appears by another [5] *Proclamation* this year, directed to the Sheriffs of *London*, in which all these Provisions, Ordinances, and Agreements, are recited; and in which it is said further, That some *Provisors*, (such as had received Benefices, &c. by the *Pope's* Provisions) as well Strangers as Denizens, their Proctors and Messengers, not considering the said Provisions, Ordinances, Concords, Decrees, Proclamation, and Inhibitions, nor the Punishments contained in them, had brought Letters, Bulls, Process, Reservations and Instruments into the Kingdom, prejudicial to the *King* and his People, and had delivered them to Arch-Bishops, Bishops, Abbats, Priors, and others as well Denizens as Strangers, to be Executed, since and contrary to the Proclamation and Inhibition aforesaid; and the Arch-Bishops, Bishops, and others receiving them, by virtue thereof, admitted and inducted very many Provisors and their Proctors, or Substitutes, into Benefices, which they possessed, to the disinheriting and intolerable prejudice of the *King*, his *Crown*, and People, against the Form of the Provisions, Concords, Decrees, Considerations, Proclamation, and Inhibitions aforesaid. And you (that is, the Sheriffs of *London*) have attempted somewhat against that Proclamation and Inhibition, and have hitherto neglected to obey our Command therein, at which we are much troubled; and then he comes to the Inhibition according to the Points of the former Agreement, Provision, and Ordinance, (including all those that admitted or inducted any into Benefices according to the *Pope's* Bulls and Reservations) under the greatest Forfeiture that could be made; and concludes, They should so behave themselves in the Execution of this present Proclamation, and Command, as he might not have cause to prosecute them as Favourers of his, and the Kingdom's Enemies. *Witness the King at Westminster the 30th of January, in the Eighteenth year of his Reign of England, and of France the Fifth.*

By the *King* and the whole Council.

In the same manner all the Sheriffs of *England* received the *King's* Commands, That they put in Execution the Proclamation in their several Counties and Shires, and also *Bartholomew de Burghersh* Constable of *Dever* Castle, and Keeper of the Five Ports.

In

In a *Parlement* holden on the 8th of *September*, in the 20th of his Reign, by *Leonel* his Son, *Guardian of England*, [6] the Commons Petition, that the *Alien Monks* might be made to go out of *England* before *Michaelmas* next coming, and that those that stayed beyond that Feast might be Outlawed, and the *Abbies* and *Priories* which they possessed might be seized into the *King's* Hand, and *Englishmen* placed in them according to the Advice of the Ordinary of the Place: For that the young *English* Scholars, who had, and then did neglect their Studies, and those that should be the Teachers of their Faith, and would undertake it if they had any hopes to be encouraged: And that the good *Priories* were in the Hands of Strangers, who carried the Revenues beyond Sea, so that for this reason their Faith was like to come to nothing: That the *strange Monks* were only *Laymen*, and the *King* their Patron.

[6] *Reg. Parl.*
20 Ed. III.
n. 30.

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The [7] Answer, That the *Religious Aliens* were *Spiritual Persons*, and in their Houses by Institution, which thing could not be Tried in *Parlement*, (*quele chose ne poet estre trie en Parlement*;) And as to their Lands and Benefices, they were in the *King's* Hands, and he received the Profits of them, but as to Outing of them, it could not be done without Consulting the *King*.

[7] Ib. Ra.

C

It was also Prayed, [8] That Strangers, Enemies in *England*, who should remain there after *St. Michael*, and should be Outlawed, Command might be given to seize their Possessions and Goods to the *King's* Use, and he to cause *Englishmen* to inform the Parishioners and support the Chanteries, for that those that were advanced in *England* were Taylors, Shoemakers, and Chamberlains to Cardinals, (*sont Tailleurs, Suoers, & Chamberleyns as Cardinaux*;) so that the Parishioners were not informed by them, and their Faith decreased daily.

[8] Ib. n. 32.

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The [9] Answer was near the same with the other, That they were *Spiritual Persons*, and the *King* had taken the Profits as above said, and as to Outing them of their Benefices, it could not be done without the *King's* Assent.

[9] Ib. Ra.

E

Notwithstanding these Proceedings in *Parlement* against the *Pope's* Bulls, his Provisions and Reservations, and the Proclamations and Inhibitions thereupon, the same Course was continued; for in the 25th of his Reign [1] the Commons, in a long Petition to the *King* and Peers of the Land, (*Item prie sa dite Communes a nostre dit Seigneur le Roy & a les Pieres de la terre veer & regarder un tres Grand Mischief, &c.*) pray them to take notice of the great Mischief and Destruction of late coming upon the Kingdom by the *Pope's* Reservations, by *Brocage*, and purchasing his Provisions, and many of the former Grievances complained of, which turned to a greater Ruine of the Nation then the whole War, and Request the *King* would please with his Council to ordain Remedy in that *Parlement*, for that the longer these things were suffered, there would be the greater difficulty in Reforming them; and it was then [2] Agreed the Answer to this Petition should be made a Statute; for which see *Statute at Large*, and *Pulton* in this year. And in a Second *Parlement* the same year, the Commons [3] pray this Statute concerning Provisions and Reservations might be published and put in Execution against such as acted to the contrary.

[1] *Reg. Parl.*
25 Ed. III.
Part 1. n. 13.

[2] Ib. m.

[3] Ib. Part 1.
n. 43.

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[4] *Ibm.*

The Answer [4] was, That the *Statute* should be *recited* before the *Council*, and if need were, it should be better worded and amended, so as the *Estate* of the *King* and *Kingdom* might in all things be safe and preserved.

[5] *Statute at Large, 7 E. III. c. 1.*

In the 27th of the King, [5] upon the grievous Complaint of the *Great Men and Commons*, That divers of the King's People, had been drawn out of the Kingdom, to answer things, the *Cognisance* whereof belonged to the *King's Court*; And that the Judgments given in the same Court, were impeached in another Court, in *prejudice* and *disperison* of the *King* and his *Crown*, and all the *People* of the Realm, in destruction and undoing of the Common Law. It was *accorded* and *assented* by the *King*, *Great Men and Commons*, That any of the *King's* Ligeance who should practice such things, and upon warning given him to appear before the *King* and *Council*, or before his Justices at the time appointed, to undergo the Law, and did not, should be put out of the *King's* Protection, and his Lands, Goods and Chattels forfeit to the King, his Body to be Imprisoned, and Ransomed at the King's Will.

During this *Contest* between the *King* and *Pope*, or *Secular* and *Ecclesiastick* Power then so termed, the *King* was very kind to the *Clergie*, in confirming their old, and granting them many new Liberties and Privileges, as appears by the Statutes made for the Clergy in Print, in the *Statutes at Large* in the 14th, 18th, and 25th of his Reign.

From this time all things were pretty quiet, no considerable things complained of in *Parlement* against the *Pope* and his *Provisions*, until the 47th of his Reign, when the *Commons* [6] Request Remedy against them, for that by reason thereof he received the *First Fruits* of Ecclesiastical Dignities, and by that Means the *Treasure* of the Realm was conveyed away, which they could not bear.

[6] *Re. Parl. 47 E. III. n. 30.*

The Answer was, [7] The *King* had *Embassadors* at the *Court* of *Rome* concerning these Matters, before whose Return he could not give them Satisfaction.

[7] *Ib. Ra.*[8] *Append. n. 100.*

In the Fiftieth year of his Reign, [8] the *Knights, Citizens and Burgeses*, which came to this *Parlement* for the *Commonalty* of the *Realm*, do pray the *King* and his *Council*, and supplicate on behalf of the *Commonalty*, That he would please to have good Consideration to the Things underwritten, and Faults following, and Ordain convenient Remedy, which will be the most pleasing to God, and kind to Holy Church, the most profitable to him and his Kingdom that ever was done, it being their holy Faith and firm Hope, that those who please God, and Holy Church, shall be accepted in whatever they do:

First, That he would please to think, and re-think, how his Noble Progenitors, Kings of England, and other Great Men of the same Land, (*& autres Grands de mesme la terre*) built Churches, and in process of time, by great Devotion endowed them with Riches, Rents, Lands, and great Possessions, Franchises and Temporalities, which, with what the *King* himself had given, amounted to more then the Third part of his Kingdom; and think how all these things were given upon such Devotion and

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Intent, that the Profits rising from them should be spent upon the Places where they were given, to the Honour of God, and Maintenance of the Places belonging to them in Hospitality and Alms, and divers Works of Charity, in the Service of God and Holy Church, in Chaplains, Clerks, and Poor, that Prayed Night and Day, for their Holy Father the *Pope*, for Holy Church, for the *King* and Kingdom, for Peace, for their Founders, Patrons and Benefactors, for their Souls, and all Christian Souls. And think, how the Kings and other Great Men, (*& autres Grands*) by their great Devotion and Gifts to Holy Church, were in peaceable possession to give the Churches, and Benefices, as Holy *King Edward* gave the *Bishoprick* of *Worcester* to *St. Walstan*; and afterward by Devotion of the Kings, it was granted, and by the Court of *Rome* confirmed, That the Cathedral Churches should have free Election of their Prelates, so as the *Bishopricks* by true Election, and other Benefices of Holy Church, were given Charitably, not out of Covetousness, or by Simony, to the most Worthy of the Clergy, of Strictest Lives, and holy Conversation, that could be found, such as would reside upon their Benefices, Preach, Visit, and Confess their Parishioners, and spend the Goods of Holy Church to the Honour of God, and in Works of Charity, according to the Devotion and Intent of the Donors. And so long as these good Customs were used, the Kingdom was prosperous, the People good and Loyal, there was Peace and Quiet, and sufficient of Treasure, Grain, Cattle, and other Riches; but since these good Customs have been perverted, Covetousness and Simony advanced, the Kingdom hath been full of Adversities, (*le Roialme ad este plien des diverses adversitez*) as Wars, Pestilence, Famine, Murrein amongst Cattle, and other Grievances, whereby the Kingdom was so much impoverished and destroyed, that there were not the Third part of the People or other Things in it, for the Cause above said, and what follows:

Also it is to be thought on, That no Man in the World, who loved God, Holy Church, the King, and Kingdom of England, but had great Reason to think Sorrowfully of things, and Weep, That the Court of *Rome*, that was wont to be the Fountain, Root, and Source of Sanctity, and Destruction of Covetousness, Simony, and other Sins, had so craftily, by little and little, more and more in process of time, gained the *Collations* of *Bishopricks, Dignities, Prebendaries*, and other Benefices of Holy Church in England, of which the *Pope* always received the Tax or First Fruits, and by his *Bulls* made several Translations that he might get the more, by which Means, and by other Payments, and Charges, the *Bishops* became so much in Debt to the Court of *Rome*, that they sold the Timber of their *Bishopricks*, had Ayd of their Poor Tenants, and the Clergy, and all Methods were taken, to destroy the Church, and Realm of England.

Also it ought to be thought on, That there are many, that when they have purchased one Benefice of the Court of *Rome*, and payed the Tax or First-fruits, and the Brokers of Benefices residing in the Wicked City of *Avinion*, (*en la pechere use Cité D'Avinion*) they let them to Farm, and send the Rents to their Brokers to purchase more and greater Benefices, even as a *Cattif*

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or miserable Person not worth, or good for any thing, by Simony or Brokage, shall be preferred to Churches and Prebendaries to the Value of 1000 Marcs, whereas a Doctor of Decrees, and a Master in Divinity must be satisfied with a small Benefice of 20 Marcs: So as Clerics lose all their Hopes of being advanced as such. And for the same cause People forbear to put their Children to School; so as the Clergy fails, which is the Support of the Church, and our Holy Faith declines, and comes to nothing.

Also it ought to be thought on, That Strangers, Enemies to this Land, and others beyond Sea, have Benefices, Riches, and Rents of Holy Church in England, which never saw, or will see their Parishioners, whereby the Service of God and Holy Church, and all Works of Charity are neglected, the Parishioners like to suffer in Body and Soul, their only care being to get the Profits of their Benefices out of the Kingdom: And so it is that Holy Church is more destroyed by such wicked Christians, than by Turks and Saracens.

Also it is to be thought on, That the Law of Holy Church is such, that the Benefices of Holy Church ought to be given freely out of pure Charity, without Price or Prayer, without the Gift of Gold, Silver, or any thing else: And that Law and Reason will, that what is given by Devotion to Holy Church, ought to be spent to the Honour of God, according to the Devotion and Intent of the Donour, and not out of the Realm upon their Enemies.

Also it is to be considered, That God committed his Sheep to the Pope to Pasture, and not to Shear them; and that the Lay Parrons followed these Examples, and sold their Churches as God was sold to the Jews, who put him to Death.

Wherefore they desired the King would please to observe this was the 50th Year of his Reign, which was called the Year of Jubilee, the Year of Grace and Joy, and it would be the greatest Grace and Joy that ever happened to this Kingdom, and the most pleasing to God and Holy Church, and all those that love them; if the things above-said were laid to heart, and agreeable Remedy provided for them. And then propounded, the King and Great Men should write to the Pope, as had been before ordered in Parlement.

The King's Answer was, That he had ordained sufficient Remedy before, by Statutes and otherwise, that he was then applying to, and pressing the Pope concerning this matter, and was fully resolved to do it from time to time, until he had performed their Desires, as well concerning the things comprised in this large Bill next foregoing, as that which was to follow, which was very near the same.

The Title of this Bill in the Topping, or in the Margin of the Parlement-Roll, is, (*Bill encontre le Pape, & le Cardinaux*.) The Bill against the Pope and Cardinals; and the other, which follows this on the Roll, and was almost the same, had this Title: The Bill and Articles against the Pope and Clergy; (*Billes & Articles encontre le Pape, & le Clergy.*) To both which the King answered as above.

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It is worth notice, That though the Second Bill was near the same with the First, yet in that the Commons informed the King [9] there were several Spies who resided in London, who had their Spies and Informers in all parts of the Kingdom, that gave them notice when any Dignities or great Benefices were void, that they might send to the Cardinals, and other Persons residing in the Court of Rome, to purchase them of the Pope.

[9] *Reg. Parl.*
50 Ed. III. n.
45. 104.

Seeing in these Complaints there hath been so often mention made of Provisions and Reservations, for the better understanding thereof, here follows the Translation of one of them, according to the true Form:

John, Bishop, [1] the Servant of the Servants of God, to the future Memory of the thing: Whereas we have understood, That the Church of Rochester, by the Death of Thomas * Bishop thereof, is at present void; We for the good Estate of that Church, intending the Provision of it, for this Turn, for certain Causes that have persuaded us to do so, Have, by the Authority of these Presents, fully Reserved it to the Ordinance and Disposition of the Apostolic See, Decreeing whatsoever shall be done, and by whomsoever, knowingly or ignorantly contrary to this Reservation, void. It may not therefore any way be lawful for any Man to infringe this our Reservation and Constitution, or rashly enterprize any thing against it. But if any one shall presume to attempt any such thing, he shall know that he incurs the Indignation of Almighty God, and of his Apostles St. Peter and Paul. Dated at Avignon the 18th of March, in the first Year of our Pontificate or Popedom, in the 9th of Edward II.

[1] *Append.*
n. 101.

* Thomas de
Wincham; he
died the last
of Feb. 1316.
See Gudwin.

This Reservation [2] was published at the Arches of London, on the 30th of March, and on the 31st of the same at Rochester before the Monks: But they having Chosen their Prior Hamon Herb Bishop, the Day before the Date of the Reservation and Provision, after three Years Trouble in waiting at Avinion, and elsewhere, at great Expences, the Pope confirmed him in the Bishoprick. See the History of this Provision and Reservation, in *Historia Sacra*, Vol. 1. fol. 357.

[2] *Ibm.*

In the 50th and 51st Years of this King, [3] John Wyclif, Doctor in Divinity, by Preaching and Reading at Oxford, published many Opinions contrary to those of the then Church and Religion practised here. The Pope (Gregory XI.) hearing of it, sent his Opinions inclosed in his Letter, or Bull, Directed [4] to the Archbishop of Canterbury, and Bishop of London, to examine him and his Opinions, and take his Confession concerning them. The Pope [5] wrote another Letter to them, That if they found his Opinions to be such as he had inclosed to them, then they should keep him in Bonds and safe Custody, until they should receive other Commands from him. He [6] wrote likewise a third Bull or Letter, to use all Diligence to preserve the King, Queen, their Children, and the Great Men of England, from these Errors and Heresies, and keep them steady in the Faith; and to require them strictly (*requiratis strictissime*) to shew them Favour, and give effectual Assistance, &c. All these Bulls or Letters are of the same Date at Rome, May 22. and Seventh of his Pontificate, A. D. 1377.

[3] *Walf. Hy-*
per. Neuf. E.
531. n. 10. 200.
A. D. 1377.
John Wyclif.

[4] *Specim. Con-*
cil. Vol. 2. f. 621.

[5] *Ibm. f. 623.*

[6] *Ibm. f. 624.*

Upon

[7] Engle. col.
2647. n. 10.
20.

Upon these Bulls, John [7] Wyclif was cited to appear before the Arch-Bishop of Canterbury, and many other Doctors, in the Church of the Friars Preachers in London, where he thus explained himself concerning the Sacrament of the Altar, and in these Old English Words:

[8] Ib. n. 40.
50, 60.

I knoweche, [8] That the Sacramens of the Altar is very Goddas Body in fourme of Brede; but it is in another maner Goddas Body then it is in Hevene: For in Hevene it is sene fote, is the forme and figure of Fleche and Blode; but in the Sacrament Goddas Body is be myracle of God in fourme of Brede, and is be nouthre of sene fote, ne in Mannes figure, but as a Man leues for to thenk the kynde of an ymage, whether it be of Oke or of Albe, and settys his thowt in him of whom it is the ymage; so myche more schuld a Man leue to thenk on the kynde of Brede, but thenk upon Crist; for his Body is the same Brede, that is the Sacrament of the Antere, and withalle clemes alle Devotion, and alle Charite that God wolde gif him, Worschippe be Crist, and then be receyves God gostly more medefully than the Priest that synges the Masse in leste Charite. For the bodely etynge we profytes nouth to Soule, but in as myght as the Soule is fedde with Charite. This Sentence is provyde be Crist that may nouer lye; for, as the Gospel sayes, Crist that night that he was betrayed of Judas Scarioth, he tok Brede in his Howdes, and bleside it, brak it, and gaf it to his Discipulus to ete; for he says, and may not lye, This is my Body.

[9] Hist. f. 191.
n. 50.

What Satisfaction this Explication gave to the Arch-Bishop, and those before whom he was convented, the Author says not: [9] Walsingham says it was feigned and vain, and that the Arch-Bishop and all others, the Duke of Lancaster, and Lord Henry Percy being present, commanded Silence to Dr. Wyclif, forbidding him for the future not to meddle with, or treat upon that matter, or suffer others to discourse or speak upon it; and that he and his Followers were silent for some time.

He was neither imprisoned nor censured during his Life.

His Opinions are variously and differently worded and stated, as well those that were reputed and censured as Herefies, as those accounted Errors; and so involved in the Terms of Scholastic Divinity then used, as they are now scarce intelligible. They are to be found in Spelman's Second Volume of the Councils, Henry de Knighton, Wood his Antiquities of Oxford; but the plainest and clearest that were esteemed Herefies, are in [7] Walsingham's Hypodigma Neufrie, which are here translated:

[7] Fol. 531.
lin. & H. 1.
Angl. f. 191.
n. 30, 40.

1. That the Eucharist in the Altar after Consecration, is not the True Body of Christ, but its Figure.
2. That the Church of Rome is not the Head of all Churches, more than any other Church; nor was there any greater Power given to Peter than to any other Apostle.
3. That the Pope of Rome had no greater Power in the Keys of the Church than any other Priest.
4. That the Temporal Lords (that were Patrons) might lawfully and meritoriously take away the Temporals from a Delinquent Church.

5. If

5. If a Temporal Lord knew a Church to be Delinquent, he was bound, under the Pain of Damnation, to take the Temporal from it.

6. That the Gospel was a sufficient Rule for the Life of a Christian, and that all other Rules of Saints, under the Observation whereof divers Religious live, add no more Perfection to the Gospel than Whiteness to the Wall.

7. That the Pope, nor any other Prelate of the Church, ought to have Prisons to punish Delinquents; but every Delinquent might freely go whither he would, and do what he would.

These are all his Opinions Walsingham recounts in this Reign; yet he Taught and Preached many more in the University of Oxford, where he had many Followers, and some Learned Men, as likewise in other Places, which were Censured in the next Reign.

Taxes in this KING's Time.

IN the 6th Year he had granted him a Fifteenth of Counties, and a Tenth of Cities and Burghs, for one Year.

In his 8th Year he had the same, and a Tenth granted by the Clergy.

In his 10th Year he had the same Tax from Laity and Clergy.

In his 11th Year he had a three Years Tenth given him by the Clergy in Convocation; a three Years Tenth given him by Citizens and Burgesses in Parliament, and by others a three Years Fifteenth, to maintain the War then beginning with France, and to pay Germans, Brabanters, and other Confederates on the Borders of Germany, against the King of France.

In the 13th Year the Great Men gave him the Tenth Sheaf of all manner of Grain of their Demeasyn Lands, except their Bond-Tenants the Tenth Fleece and the Tenth Lamb. This was in the first Parlement this Year 15 Days after Michaelmas.

The Commons excuse themselves, and desire to go into the Country, and endeavour to procure an Aid answerable to the King's Necessity.

A Parliament was Summoned to meet eight Days after St. Hilary, or 20th of January, in which the Commons gave the King 30000 Sacks of Wool.

In his 14th Year, the Prelates, Earls, Barons, for them and their Tenants, the Knights of Counties for themselves, and Commons of the Land (les Chivalers de Countees par eux, & par les Communes de la Terre) granted to the King the Ninth Sheaf, Fleece, and Lamb; the Citizens and Burgesses gave the very Ninth of all their Goods, according to the true Value, for two Years next coming. Those that lived not in Cities and Burghs, nor lived upon Tillage or Shop, paid the Fifteenth Part of all their Goods, according to the true Value.

Upon

Wals. f. 132.
lin. 7.

Ibm. f. 134.
n. 10.

Ibm. f. 136.
n. 20.

Adam Maryn-
muth, A. D.
1337.

Rot. Parl. 13
Ed. III. Part 1.
n. 5.

Ibm. n. 8.

Rot. Parl. 14
Ed. III. Part 2.
n. 5, 6, 7.

Ib. 14 Ed. III.
Part 1 n. 5, 6, 7.

Ibm. Part 2. n. 9, 10.

Ibm. 15 Ed. III. n. 56, 67.

Ib. 18 Ed. III. n. 9, 10.

Ibm. 20 Ed. III. n. 11.

Ib. 22 Ed. III. n. 4.

Ibm. 25 Ed. III. Part 2. n. 9, 10.

Ibm. 27 Ed. III. n. 31, 32.

Ibm. 29 Ed. III. n. 11.

Ibm. 36 Ed. n. 35.

Ibm. 42 Ed. III. n. 9.

Ibm. 43 Ed. III. n. 9, 10.

Upon the *King's* writing to them for speedy Supply, seeing the *Ninths* could not be levied time enough for his Service, the *Lords* and *Commons* agreed to have 20000 Sacks of Wooll speedily provided.

In the 15th, the *Ninths* were *revoked*, in respect of this Grant of 20000 Sacks of Wooll.

In the 18th, the *Clergy* of the *Province* of *Canterbury* granted a *three Years Tenths*, and the *Commons* granted for the *Commons* of the Land *Two Fifteenths*, and *Two Tenths* of *Cities* and *Burghs*. And afterwards the *Commons* granted another *Fifteenths*. The *Lords* promised to go, or went with the *King* in Person, and therefore gave nothing.

In the 20th Year, the *Commons* granted *Two Fifteenths* to be levied in *two Years*, in *Cities*, *Burghs*, *ancient Demesnes*, as also of the *Commons* of the *Counties*.

In the 22d Year the *Commons* granted *Three Fifteenths*, to be levied in three Years, so as one *Fifteenths* be levied in one Year, and no more.

In the 25th Year, the *Great Men* of the *Realm* and the *Communally*, by the Advice of some *Great Men* sent to assist them, granted the *King* *Three Tenths* and *Three Fifteenths*, to be paid in three Years.

In the 27th Year, the *King* made it his Request, That the *Prelates*, *Great Men*, and *Commons*, would grant him the *Subsidy* of *Woollfells*, and *Leather*, for some time; to which Prayer they unanimously consented, and granted that *Subsidy* in manner as it had been received before that time for three Years.

In his 29th Year, the *Commons* came into the presence of the *King*, *Prelates*, and *Great Men*, assembled in the *White Chamber*; and having there a short Conference with the *Great Men*, granted unanimously of one accord the *Subsidy* of *Wooll*, *Leather*, and *Woollfells*, for *six Years* next coming, so as during that time, no other *Impositions* or *Charges* be put upon the said *Commons*.

In the 36th Year, the *Great Men* and *Commons* (*les Grants & Communes*) granted unto the *King* of every Sack of Wooll transported 20 s. of every 300 *Woollfells* 20 s. and of every Last of *Leather* 40 s. besides the ancient Custom of half a Marc a Sack of *Denisons*, and 10 s. of *Strangers*, half a Marc of every 300 *Woollfells* of *Denisons*, and 10 s. of *Strangers*, and one Marc of every Last of *Leather* of *Denisons*, and 20 s. of *Strangers* for three Years.

In the 42d Year, the *Prelates* and *Great Men* (*les Prelates & Grants en Deliberation plain ove les Communes d'une accorde Grantent*, &c.) having had full Deliberation with the *Commons*, granted the *Subsidy* of *Wooll*, *Woollfells*, and *Leather* for two Years; of every Sack of Wooll, and every Twelvcore *Woollfells*, 36 s. 8 d. of every Last of *Leather* 4 l. besides the ancient Custom as before.

In his 43d Year, the *Lords* and *Commons* granted to him the *Subsidy* as above for three Years; of every Sack of Wooll 43 s. 4 d. which passed beyond Sea; of every Twelvcore *Woollfells* as much, and of every Last of *Leather* 4 l. besides the ancient Custom; of *Strangers*, for every Sack of Wooll four *Marc*s, of every

every Twelvcore *Woollfells* four *Marc*s, and of every Last of *Leather* eight *Marc*s, besides the ancient Custom.

In the 45th Year, the *Great Men* and *Commons* granted a *Subsidy* of 50000 l. to be levied of every Parish of the Land 22 s. 3 d. so as the Parish of greater Value, should contribute ratably to those of less Value.

This 22 s. 3 d. of every Parish, answered not the Sum of 50000 l. and therefore not long after at *Winchester* the *Great Men* and *Commons* granted 5 l. 16 s. of every Parish, the 22 s. 3 d. being comprised in it; so as the Parishes of greater Value should contribute to those of less.

In the 46th Year, the *Lords* and *Commons* granted for two Years the *Subsidy* of *Wooll*, *Leather*, and *Woollfells*, as it was granted in the 43d Year.

And for that the Sum of this *Subsidy* was not sufficient for the *King's* Expences, they granted a *Fifteenths* for one Year, to be levied as the last was.

The *Citizens* and *Burgeses* in this Parlement, for the safe Conveying of their Ships and Goods, granted 2 s. upon every Ton of *Wine*, and 6 d. in the *Pound* of all Goods for a Year.

In the 47th Year, the *Lords* and *Commons* granted a *Fifteenths*, as it had been in ancient manner levied, for two Years; they also gave *Tonnage* and *Poundage* for two Years, as it was given last Year, of all Merchandise exported and imported, except of *Woolls*, *Woollfells*, and *Leather*, and then grant the *Subsidy* of them for the next Year coming.

In the 50th Year the *Lords* and *Commons* granted the *Subsidy* of *Wooll*, *Leather*, and *Woollfells*, for three Years, as it had been granted in his 47th Year.

In his 51st Year, the *Lords* and *Commons* grant him 4 d. of every *Person* of the *Kingdom*, *Males* and *Females*, above the Age of *Fourteen Years*, except very *Beggars*; and desire to be excused they could give no greater *Subsidy*.

The Issue of Edward III. by Philippa of Haynalt.

HIS Eldest Son was *Edward* of *Woodstock*, so called because born [1] there, June 15. 1329. or 1330. He was *Prince of Wales*, and Married *Joan Countess of Kent* (called for her great Beauty, *The Fair Maid of Kent*.) She was Daughter to *Edmond* of *Woodstock*, sixth Son of *Edward* I. but second by his *Queen Margaret*, Sister to *Edmond* Son of *Edmond* of *Woodstock*, and Sister and Heir to his Brother *John*, who both died without Issue. [2] She was first Married, after the 25th Year of her Age, and 26th of *Edward* III. to Sir *Thomas Holland* Knight of the *Garter*, and in her Right made *Earl of Kent*, by whom she had Issue two Sons, *Thomas Earl of Kent*, and *John Duke of Excester*. He died Decemb. 26. in the 34th of *Edward* III. 1360. And her Second Husband was *William Montague Earl of Salisbury*, from whom she was in a short time Divorced by Consent. With this Lady

S f

Ib. 45 Ed. III. n. 6.

Ib. n. 10, 11.

Ib. 46 Ed. III. n. 10.

Ib. & n. 11.

Ib. n. 14, 15.

Ib. 47 Ed. III. n. 5.

Ib. 50 Ed. III. n. 9.

Ib. 51 Ed. III. n. 19.

[1] *Wals. Hist.* f. 130. n. 40. *Hynd. Newbr.* f. 510. n. 50.[2] *Sandf. Genesl. Hist.* f. 184. & 215.

[3] *Walf. f. 80.*
n. 30.
A. D. 1365.

[4] *Ibm. f. 181.*
lin. 5.
A. D. 1366.

[5] *Hypod.*
Newstr. f. 512.
n. 30.
[6] *Ibm. f. 513.*
n. 30.

[7] *Sandf. ut*
supra, f. 219.
222.

[8] *Ibm.*

[9] *Ibm. f. 225.*

[1] *Rot. Parl.*
39 Hen. VI.
n. 18.

[2] *Walf. f. 148.*
n. 10.

[3] *Hypod.*
Newstr. f. 514.
n. 50.

[4] *Sandf. ut*
supra, f. 357.
[6] *Ib. f. 358.*
[7] *Ib. f. 360.*
[8] *Ib. f. 365.*

[9] *Brooks Ca-*
talogue of
Hon.
[1] *Ibm.*

[2] *Sandf. ut*
supra, 178.

[3] *Ibm. f. &*
227.

the *Prince* fell in Love, and was Married to her in the 31st Year of his Age, and 35th of his Father's Reign, 1361. By [3] her he had, first, *Edward of Engolesem* (so called because there born) who died in the 7th Year of his Age. His second Son by her was *Richard of [4] Burdeaux* (so also called because born there) succeeded his Father as *Prince of Wales*, and his Grandfather in the *Kingdom*, by the Name of *Richard II.*

William of [5] *Hatfield*, Second Son of *Edward III.* born there 1336. in the 10th of his Father's Reign, who died very young.

The Third Son of *King Edward* and *Queen Philip* [6] was *Lionell*, born at *Antwerp*, Created *Duke of Clarence*, and Married to *Elizabeth de Burgh*, Daughter and Heir of [7] *William de Burgh*, Earl of *Ulster*, Lord of *Clare*, *Canaught*, and *Trim*, by whom he had only one Daughter named [8] *Philippa*. She was by her Grandfather, after the Death of her Father, at the Age of 13 Years, Married to *Edmond Mortimer Earl of March and Lord of Wigmore*, in the 42d of *Edward III.* 1368. by whom she had *Roger Mortimer their Eldest Son and Heir* to both their *Honours* and *Titles*, who left [9] *Edmond Mortimer* his Son and Heir, Earl of *March* and *Ulster*, Lord of *Wigmore*, *Clare*, *Trim*, and *Canaught*, and True Heir to the Crown of *England* after the Death of *King Richard II.* He died without [1] *Issue*, as also his Brother *Roger* and Sister *Alianor*, leaving *Anne* their Sister sole Heiress to her Father *Roger Mortimer* and Brother to *Edmond*.

The Fourth Son of [2] *Edward III.* and his Queen *Philip*, was *John of Gaunt*, born there: He was first Earl of *Richmond*, and afterwards *Duke of Lancaster*. He Married *Blanch* the Daughter and Coheir of *Henry Duke of Lancaster*, with *Maud* her Sister, by whom he had his only Son and Child *Henry Earl of Derby*, *Duke of Hereford* and *Lancaster*, called *Henry IV. King of England*. After the Death of *Maud* without Issue, he in Right of *Blanch* enjoyed all the vast Estate of her Father *Henry Duke of Lancaster*, with his *Titles*, and was then, in the 36th of *Edward III.* advanced to the Title of *Duke of Lancaster*, &c. *Dugd. Barons. Tome II. Fol. 115. Col. 1.*

The Fifth Son of *King Edward* and *Queen Philip*, was [3] *Edmond of Langley*, a Mannor near *St. Albans* in *Herefordshire*, where he was born; by his Father made Earl of [4] *Cambridge*, and by *King Richard II.* [6] was Created *Duke of York*: He Married [7] *Isabel* younger Daughter and Coheir of *Peter King of Castile*, by whom he had *Edward* his Eldest Son, who died [8] without Issue. He had also by her *Richard Earl of Cambridge*, called of *Coningsburgh*, a Town of that Name in *Yorkshire*. [9] He Married *Anne Mortimer* above-mentioned, by whom he had *Richard Duke of York* and Earl of *Cambridge*, [1] who Married *Cecile Nevil*, the youngest Daughter of *Ralph Earl of Westmerland*, by whom he had *Henry his Eldest Son*, who died young, and *Edward* his second Son *Duke of York*, and afterward *King of England*, by the Name of *Edward IV.*

William of [2] *Windfor* (a second of that Name *William*) was their Sixth Son, who died so young, as there is nothing memorable left of him.

The Seventh and Youngest Son of *Edward III.* and *Queen Philip*, was [3] *Thomas of Woodstock*, there born, *Duke of Gloucester*. He Married

Married *Elizianor* the Eldest of the two Daughters, and Heiress of *Humphry de Bohun Earl of Hereford*, &c.

The Eldest Daughter of *King Edward* and *Queen Philip*, was [4] *Isabel Lady Concy* and Dutcheß of *Bedford*, Married to *Ingelram Lord of Concy* and Earl of *Soyßons*, who by her Father was Created Earl or Duke of *Bedford*.

Their Second Daughter [5] *Jean*, had the Title of *Queen of Spain*; she was by Proxy Married to *Alphonso King of Castile* and *Leon*, and conveyed into that Country, and not long after died of the Plague.

Their Third Daughter [6] was *Blanch de la Tour*, so named because born in the Tower of *London*; she died an Infant.

Mary their Fourth Daughter, [7] *Dutcheß of Britan*, was Wife of *John Montfort Duke of Britan* in *France*.

Margaret their Fifth and [8] Youngest Daughter, was Wife to *John Hastings Earl of Pembroke*.

CONTINUATION

Of the Compleat

History of England, &c.

King RICHARD the Second.

[1] Rot. Clauſe
1 Ric. II. M. 45.
A. D. 1377.
King Richard's
Coronation.

[2] Ibm.
Three Offices
claimed by
the Duke of
Lancaster.

[3] Ibm.
[4] Ibm.

[5] Walsingh.
Hiſt. f. 193.
n. 40, 50.

The Citizens
of London de-
ſire the King's
Protection.

[6] Ib. f. 194.
n. 10, 20.

[7] F. 196. a.
col. 2.

[8] Walsingh.
f. 198. n. 20,
30.

KING Edward the Third [1] died June 21st, Anno Domini 1377, and this young King, his Grandchild, succeeded him in the Eleventh year of his Age, when it was agreed he should be Crowned on the 16th of July following. John, King of Castile and Leon, Duke of Lancaster, came before King Richard and his Council, and claimed as Earl of Leicester the Office of Steward of England, as Duke of Lancaster, to carry the King's principal Sword called Curtana, on the day of his Coronation, and as Earl of Lincoln, to be the King's Carver the same day; all these Offices he pretended to have in Right of his Wife Blanch then dead; and the Titles to them being Examined by the most knowing of the King's Council, it was adjudged [3] by the King and his Council, he might Execute them by himself, and sufficient Deputies, [4] and on the Thursday next before the Coronation, (which was also on a Thursday) he sat (*de precepto Regis*) by the King's Writ, as Steward of England, to hear the Claims of all that pretended to have Offices, and perform Services on that day.

On the very day [5] of King Edward's Death, yet before he was known to be dead, there were sent some of the chief Citizens by the City of London, to the Prince then at Kingston with his Mother, who by John Philpot, that was one of them, acquainted him. That his Father was undoubtedly dying, and had the manifest Signs of Death upon him, and beseeched his Favour, and Protection of the Citizens, and his City of London, which was his Chamber, it being unspeakably disturbed he was so far from it, being ready not only to venture their Estates, but also, if needful, to lay down their Lives for him; with Request to him he would come and Reside there; and further prayed him, he would vouchsafe to put an end to all Disorders and Differences between the Citizens and the Duke of Lancaster, [6] which was performed next day by several Persons sent to London for that purpose.

Froissart [7] says, England was then to be Governed by the Duke of Lancaster, by Accord of all the Land; yet soon after the Coronation, [8] perceiving all things in the Kingdom were like to become new, and his Care not to be valued amongst new Men,

The Reign of King Richard II.

Men, and fearing if any thing should happen amiss to the King or Kingdom, it might be imputed to him, and that he should for the good he did, receive small or no Thanks, with the King's Leave he retired from Court, and went to his Castle of Kenelworth; before his departure, he promised the King, if he should need his assistance to come to him, with a greater appearance than any Lord in England, or do any other thing that might tend to his Profit or Honour.

The French on the 21st of August [9] landed in the Isle of Wight, burnt and plundered some Towns, and received a Composition of the Inhabitants to save the rest; They then burnt [1] Hastings in Kent, and indeavoured to burn Winchelsey, but were repelled, as also at Southampton by Sir John de Arundel, the Earl's Brother.

On the 4th of that month [2] Writs were issued for a Parliament to meet Fifteen days after Michaelmas; The Cause of Summons was declared by the Arch-Bishop of [3] Canterbury, and rehearsed by Monsieur Richard Lescrop, [4] which were, That the Commons would advise the King, how in the best manner his and the Kingdom's Enemies might be resisted, and how the Expences of such Resistance was to be born with the greatest Ease to the People, and Profit and Honour to the Kingdom.

The Commons [5] pray the King, That for the Arduity of their Charge, that is, the Declaration of Summons, (*que par l'arduite de leur charge*) and for the feebleness of their Powers and Senses, (*& la foiblesce de leurs poairs & sens*) That it would please the King to grant them to have the Prelates and Lords under-written for their Aid and Assistance, to Commune or Treat especially with them in their Affairs, for the more hasty and good Exploit of the Business wherewith they were charged; [6] that is, the King of Castile and Leon Duke of Lancaster, the Bishops of London, Ely, Rochester, and Carlisle, the Earls of March, Arundel, Warwick, and Angus, the Lord Nevill, Monsieur Henry Lescrop, Richard Lescrop, and Richard de Stafford, which was granted by the King in Parliament.

The Duke of Lancaster immediately [7] stood up, and falling upon his Knees towards the King, humbly prayed him to hear him a little, in a weighty Cause that concerned himself; and then said, the Commons had chosen him for one of the Lords to Commune with them of the said Matters, but desired the King would please to Excuse him, for that the Commons had spoken Evil of him, and so ill, that he had committed manifest Treason, if their Report was true, which God forbid, being always careful not to do any such thing, as the truth was notably known; and said further, None of his Ancestors of * one side or other, was ever Traytor, but good and Loyal, and it was a marvellous thing he should stray out of the Line, (*& marvellous chose serroit, s'il vorroit serveier hors de l'yne*) for that he had more to loose than any other in the Kingdom; And more he said, That if any Man, of what Estate or Condition soever he was, should be so hardy, as to affirm Treason or other Disloyalty upon him, or other thing done by him, prejudicial to the Kingdom, he was ready to defend himself by his Body, or otherwise by Award of the King and Lords, as if he were the poorest Knight Bachelor of the Realm.

The Duke of Lancaster with the King's Leave, retired from Court.

[9] Ib. n. 40, 50.
The French land in the Isle of Wight.
[1] Ib. f. 199. n. 20, 30.

[2] Rot. Clauſe
1 Ric. II. M. 37.
D. f.
A Parlement called.
[3] Rot. Parl.
1. 2. 3. 4. 5. 6.
[4] Ib. n. 11.
The Cause of
of Summons.

[5] Ib. & n. 12.
The Commons desire to have a Committee of Lords for their assistance.

[6] Ib. n. 13.

[7] Ibm.
The Duke of Lancaster makes his Excuse to the King for not being of that Committee.
His Relation how he had been accused of Treason, and Excuse.
* Note, Treason Evil of Lancaster, and his Brother Henry Grandfather to his Wife Blanch, in the time of Ed. II.
His general Challenge to defend himself by his Body.

[3] *Ibm.* 14.
The Lords
Excuse him.

[9] *Ibm.*
The Commons
Excuse him.

He moves for
a Law against
the Inventors
of such Re-
ports.

[1] *Ibm.* n.
17, 18.
The Commons pray
Three things
of the King
and Lords.
First, That
Eight contin-
ual Council-
lors may be
appointed.

[2] *Ib.* n. 19.
Secondly, Such
to be appoint-
ed as were to
be about the
King's Person.

[3] *Ib.* n. 20.
Thirdly, That
the Land
might be ob-
served.

[4] *Ib.* in the
end of the
number.
The general
Answer.

Whereupon [8] the *Prelates*, and all the *Lords* stood up, and with one Voice Excused and prayed him, to leave off such Words, for they thought no Man living would say any such thing.

The Commons [9] also said, it was apparent and notorious, that they thought him free from all Blame and Defamation, (*les Communes avoient le dit Duc excusé de tout Blasme & Diffame*) inasmuch as they had chosen him to be their principal *Ayd*, *Comforter*, and *Counsellor* in this Parliament, praying with one Voice to have them excused.

Then the Duke said, the Words had been long thrown about the Kingdom falsely, and he wondered how any Man could or would begin or continue such a thing, for the Disgrace and Danger that might thence arise, because the first *Inventor* of such Speeches, by which Debate might be moved between the *Lords* of the Land, was a manifest and very Traytor, for such Debates might turn to the Destruction of the Kingdom for ever; and he prayed, that a good *Ordinance*; and a just and speedy Punishment might be provided in that Parliament, for such *Talkers* and *Inventors* of Evil Reports or Dreams, (*par tiens parloirs & traversours de mesonges*) to avoid such Mischiefs for the time to come; but for the time past all should be forgiven, as to his own Person.

After this, [1] for that the King at present was Innocent and of Tender Age, for the amendment of several Mischiefs, and the Salvation of the Realm, which was then in greater Danger then ever it was before, the Commons prayed the King and Lords of Parliament for Three things especially:

First, That they would in that Parliament, Appoint and Name Eight Persons of divers Estates, to be the continual *Counsellors* of the King, for the Business of the Kingdom, together with the King's *Officers*, to be such Persons as best knew, and most diligently would and could take pains, in the amendment of the Mischiefs, and for the good Government and Salvation of the Realm, and the Commons might know the Names of those *Counsellors*, which also may be the *Expenditors*, and *Directors* of what was to be given toward the Wars.

Secondly, That they would please to [2] Name and Appoint in that Parliament, such as should be about the King's Person, People of Virtuous and honest Conversation, that might Educate him accordingly, and that the Charge of the King's House might be born with the Revenue of the Crown, so as what was granted for the Wars might only be employed that way.

Thirdly, That the [3] *Common Law* and other *Statutes*, and *Ordinances* of the Land, might be Observed, Ratified and Confirmed, and the People Governed by it, and that it might not be defeated, with *Masterships*, and *Singularities* of any about the King, &c. saving in all things the *Regalities*, and *Dignity* of the King, to which the Commons would not any prejudice should be done any way by their Demands.

The Answer to these Demands [4] was, That the Prelates and Lords would Advise together, commanding the Commons to return to their place, (*commandant as communes de retourner a leur place*) and Treat of their other Charges given to them, (*& traiter de*

de leurs autres charges a leurs dones) between that time and *Thurs- day* next, (*a quel jour ils firent commandez a retourner en parlement, &c.*) to hear the Answer to their Requests.

The first [5] Request of the Commons was Repeated before the King and Lords, and by them granted, so as the *Chancellor*, *Treasurer*, and *Keeper of the Privy Seal*, *Justices of the one Bench*, and the other, and all other *Officers of the Realm*, may execute their Offices without the presence of such *Counsellors*, who by Advice of the Lords were [6] Nine, the *Bishops of London, Carlisle and Salisbury*, the *Earls of March and Stafford*, *Messires Richard de Stafford*, and *Henry Lesclap Banerets*, and *Messires John Devereux*, and *Hugh Seegrave Bachelors*.

Which [7] Nine *Prelates, Earls, and others*, chosen in Council for this year, (*eslus en conseil par cest An*) were Sworn before the King himself, to do what they were chosen for, in the presence of many Lords of Parliament.

As to the Second Request, to [8] Name and Assign such as should be about the King's Person, the Lords of Parliament there answered, That it seemed to them for many Causes too heavy and hard a Request, (*trop chargeant & dure Request*) to place any Person about the King, that should not well please him; or to Remove any *Officer* or *Servant*, if it were not by his Express Will, and for notable faults to be proved against such *Officers* and *Servants*; Wherefore the Lords would not willingly meddle with these Matters, (*peront les Seigneurs ne veroient volentres entre mettre.*)

To the other [8] part of this Request the Lords Answered, They would by good Deliberation speak with the Great *Officers* of the King's Household, and if by their advice it could be done, saving the State and Honour of the King, what they desired should be performed.

For the [9] Third, at present it seemed reasonable to all the Lords it should be granted.

The Lords and Commons * perceiving the great danger of Destruction the Nation was in, by reason of the great Wars, as well by Sea as Land, for the defence of the Kingdom, and resistance of its great Enemies, granted to the King Two Fifteenths without *Cities* and *Burghs*, and Two Tenths within *Cities* and *Burghs*, for Two years; praying the King, That as well the Money of the Tenths and Fifteenths, as the Tenths granted by the Clergy, and Money for the Subsidy of Wool, might be in the keeping of Especial *Treasurers* by the King's Appointment; which were *William Walsworth*, and *John Philypot*, Merchants of London, who were to give an Account of their Receipts and Disbursements, in manner as the King and his great Council should order.

In this [1] Parliament *Alice Perrers* was brought into the Lords House, where Sir *Richard Lesclap*, Steward of the King's Household, by the Command of the Prelates and Lords, Recited in the presence of the said Alice, an * Ordinance made in the Parliament holden at Westminster in the 50th of Edward the Third, That no Woman, especially *Alice Perrers*, should prosecute any Business in the King's Courts by way of Maintenance, upon pain of forfeiture, and Banishment out of the Kingdom; and the said *Seneschal* or *Steward* furnished to the said Alice and the Lords, That she

[5] *Ibm.* n. 21, 22.
The particu-
lar Answer to
the first
Request.

[6] *Ib.* n. 23.

[7] *Ib.* n. 25.

To the second
Request.

[8] *Ib.* toward
the end of the
number.

[9] *Ib.* in the
end of the
number.
To the Third.
* *Ib.* n. 27.
Two Fif-
teenths and
Two Tenths
granted.

Special Treasurers appointed to receive them.

[1] *Ib.* n. 41, 42, 43.

* See this Ordinance here in the 50th of Ed. III. *Alice Perrers* accused in Parliament.

the had incurred the pain of it, and forfeited against the Ordinance in Two Points: First, That Sir Nicholas Dagworth was ordered by the King's Council to go into Ireland upon several great Matters profitable to the King and his Realm, the said Alice, after the Ordinance made, perswaded the King, and procured at the Court at Havering by her singular Suit, That the said Nicholas should be countermanded, and his Voyage staid, to the great damage of the King and Realm. Secondly, That one Richard Lyons, for certain Misprisions, of which he was Convict in the said Parliament, submitted himself to the King's Grace, viz. his Body, Lands, Tenements, Goods and Chattels, so as he was imprisoned, and all his Lands, Tenements, Goods and Chattels seized into the King's Hands, of which Lands and Tenements he gave some to the Earl of Cambridge, and others to Thomas of Woodstocke, then Earl of Buckingham, for Term of their Lives. All which Forfeitures and Imprisonment, the King taking pity of the said Richard by the Perswasion of the said Alice, and her singular Persuit and Procurement, at his Court at Shene, with the assent of his Council pardoned, and also pardoned the said Richard 300 l. due from him in the Exchequer, and further granted 1000 Marks of his Treasure as a Gift, which things being contrary to the said Ordinance, the Steward demanded of the said Alice, how she would Excuse her self of the said Articles, who answered she was not culpable or guilty of these Articles, which she was ready to aver and prove, by the Witnesses and Testimony of John de Ippe, at that time Steward of the King's House, William Shee Controller, Sir Allen Buxhall, Nicholas Carren Keeper of the Privy Seal, and others of the Court of the said King, and present at the time of the supposed Forfeiture.

Her Answer.

[2] Item.

Witnesses
Sworn against
Alice Perrers.

Upon this, Day [2] was given her to Wednesday next after, in the mean time it was ordered by the assent of the Lords, That the Articles should be tried by Witnesses, or by Inquest of such as were of the House of the said King, and thereupon certain Persons were Sworn, and Examined before the Duke of Lancaster, the Earl of Cambridge, the Earl of March, the Earl of Arundel, and the Earl of Warwick: First, Roger Beauchamp, late Chamberlain of the said King, being Sworn, said, That in the presence of Alice Perrers, a Bill was given him to carry to the King at his Court at Havering, which Bill he took, and as he understood it, it contained the Revocation of Sir Nicholas Dagworth from Ireland, because he was Enemy to Monsieur William de Windsor, he refused to carry the Bill, because the Council had ordered the contrary; and the said Alice requested him to do it, which he did, and the King asked him what they talked about, which when he informed him of the Contents of the Bill, he answered the Petition was reasonable; and when Monsieur Roger replied, his Council had ordained to the contrary, the King answered, he was Sovereign Judge, and it seemed to him the Bill was reasonable, and commanded him to call back the said Nicholas, which was done accordingly. Concerning Richard Lyons he said he knew nothing. The Duke of Lancaster Examined, said, That one day he came to Havering, and found Dame Alice Perrers there, when Roger Beauchamp shewed him a Bill containing as above, about which he fell into Discourse with the King, who

who concerning Sir Nicholas Dagworth going to Ireland, said, it was not reasonable one Enemy should Judge another, and there he thought fit to countermand his Voyage; in which having satisfied the King, as done by his Consent in Council; but the King not long after coming from Alice Perrers's Chamber, came to the Duke, and prayed him dearly he would not suffer Dagworth to go toward Ireland, but the Duke could not comply, by reason it was ordained by King and Council, and on Monday morning when he took his Leave of the King in Bed, he commanded him upon his Blessing he should not suffer Dagworth to go toward Ireland, notwithstanding the Ordinance made the day before; and also he was countermanded. And to the Article of Richard Lyons, he said, in his Conscience he believed Alice Perrers was the chief Promoter of that Business; but was not present.

Monsieur Philip de la Vache Sworn, says nothing to the purpose.

Nicholas Carren Sworn, says, That he was commanded to come to Shene to the King, where he found Richard Lyons, and they were both commanded to come before the King in Bed, where he found Dame Alice Perrers sitting at the King's Bed's Head, where was shewed, that the King would pardon the said Richard 300 l. due to the King upon Account in the Exchequer, and also give him a Thousand Marks of his Treasure, and restore him what was given him to his Sons the Earl of Cambridge, and Tho. of Woodstock, and commanded him the said Nicholas to let his Sons know so much; and that the King rehearsed these Grants of his Grace, &c. before divers Knights and Esquires he called from behind the Curtains of his Bed to Witnesses the same. Monsieur Alein Buxhall Swears the same; except Alice Perrers sitting at the King's Bed's Head; and further, That Alice desired him to acquaint the Earls of their Father's Pardon to Lyons, which at her Instance the King commanded him to do. There were more Sworn, who said as they believed, and much to this purpose, and presently there were made to come before the Duke and other Earls, Monsieur Roger Beauchamp, Alein Buxhall, John de Burle, Richard Stury, Philip de la Vache, John de Foxle, Tho. Garre, Knights; Nicholas Carren, John Beauchamp of Holt, John Beverle, George Felbrige, John Salesbury, William Street, Piers Cornwall, Tho. London, Helmin Leget, Esquires, of the King's House, Sworn, and charged to speak plain Truth, whether the said Alice was culpable, who found her guilty, and accordingly to the intent of the Statute made 50 Edw. III. considering the damages and villanies by her done, she was sentenced by Parliament to be banished, her Lands, Chattels, Tenements in Demeas and Reversion to be forfeited, and seized into the King's Hands; And it was ordained by the King and Lords in that present Parliament, That all her Land in Feoffees hands or purchased in Trust, should be also forfeited. But it was the Intention of the King and Lords, and this Law, made particularly for the prevention of such odious things, should not be made use of, or made an Example against any other Person, or in any other Case.

The Commons [3] pray, for that King Edward was guided by unfit Counsellors, (par auscuns Conseillers viciens Crovenables) as had been authentickly proved, That they might be removed from all

T t

A Jury
Sworn.They find her
Guilty.Her Sentence
and Punish-
ment.Which was
not to be
made an Ex-
ample for o-
thers.

[3] Ib. n. 49.

King Edward guided by Evil Counsellors, such to be removed from this Kings Councils.

The King's Officers not to maintain Suits.

[4] Ib. Ra. The King grants the first. And will forbide the second.

[5] See Stat. at Large, first of Ric. II. cap. 4.

[6] Rot. Parl. 1 Ric. II. n. 50. The Commons pray all great Officers of the Court and Kingdom may be appointed in Parlement during the King's Minority.

[7] Ib. Ra. It was agreed, that some of those Officers should be chosen by the Lords in Parlement.

[8] Ib. n. 88. The Commons complain of the Practices of the Villanes.

[9] Ib.

[1] Ib. Ra. The Answer to the Complaint of the Commons.

the King's Counsels, and so as such, nor other such, should be near him, nor in office with him, and that other fit Persons might be put in their places; and that no Officers of the King's Court, great or small, do keep up Quarrels or Suits in the Country by Maintenance, nor meddle with any thing but what belongs to his Office.

As to the first Request, (*le Roy le voet*) the King willeth; and as to the second Request touching Maintenance, the King will straightly forbid, any Counsellor, Officer, or Servant, or others with him, or in the Kingdom, to uphold any Quarrel, or Suit by Maintenance, [5] under pain of losing their Offices, and Services, and to be Imprisoned, and Ransomed at the King's Pleasure.

The Commons also [6] pray, That during the King's Minority, the Chancellor, High Treasurer, Chief Justices of one Bench and the other, the Chief Baron of the Exchequer, the Steward and Treasurer of the Household, the Chief Chamberlain, and Clerk of the Privy Seal, the Wardens of the Forests of this side Trent and beyond, might be made and provided by Parlement; and if it should happen that any of these Ministers or Officers should be laid aside, between one Parlement and another, That then another be put in his place, by his great Council, until next Parlement.

It was agreed, That [7] while the King was under Age, that the Counsellors, Chancellor, Steward of the Household, and Chamberlain, should be chosen by the Lords in Parlement, (*soient elus par les Seigneurs en Parlement*) saving always the Estate and Heritage of the Earl of Oxford to the said Office of Chamberlain; and as to the other Officers abovenamed, the King should make them by the assent of his Council.

The Commons of the Kingdom shew to the King, and Council of Parlement, That in many parts of the Kingdom of England, [8] *A nostre Seigneur le Roi, & a Conseil du Parlement monstre la Commune du Roialme en plusieurs parties du Roialme d'Engleterre, &c.* the Villanes, and Land Tenants in Villenage, as well of Holy Church, as Lay Lords, which owed Services and Customs to their Lords, had withdrawn them of late, and did daily withdraw them, by procurement of certain Advisers, Maintainers, and Abettors in the Country who received Money of them, by colour of Exemplifications purchased in the King's Court out of *Domesday Book*, of the Mannors and Towns where they dwelt, by vertue whereof, and the ill Interpretations of them, they said they were quit and discharged of all manner of service, as well of their Bodies as Tenures, and would not suffer any Distress to be taken, or Justice done upon them, threatening their Lords Servants to Kill or Maim them, and gathered themselves together in great Routs, and agreed by Confederacy to aid one another by force to resist their Lords; Therefore to prevent the Mischiefs which might ensue, [9] and to avoid the like Danger that lately happened in France, by such Rebellion and Confederacy of the Villanes against their Lords, they prayed due Remedy.

The Answer was, [1] That as to the Exemplifications, Grants, and what had been done in Chancery, it was declared in Parlement, that they could not, nor ought not to be of any value, or hold place, as to the freedom of their Bodies, nor change the condition of their Tenure and Customs anciently due, nor do prejudice

dice to their Lords concerning them; who if they would, might have Letters Patents of this Declaration under the Broad Seal; and also the Lords that found themselves grieved, might have special Commissions to Justices of Peace, and others, to enquire of all such Rebels, and their Offences, and their Counsellors, Advisers, and Abettors; and to imprison all those that shall be brought before them, without Bail, Mainprize, or otherwise, until they were prosecuted and acquit, &c. See Statutes at Large, 1 Ric. II. which agrees with the Parlement-Roll in many things, though not in all.

The Commons pray further, [2] That a Parlement may be holden in a convenient Place once a Year, to redress Delays in Suits, and to end such Cases wherein the Judges were of different Opinions.

They had this Answer: [3] The Statutes therefore made shall be observed and kept; and as to the Place where the Parlement shall be holden, the King will do his Pleasure.

The Citizens of London demanded, [4] That upon the King's special Grace, for the Enlargement of the Franchise of their City, that if any Article in the Charters granted by him or his Progenitors to the said Citizens, should prove difficult or doubtful, and might be taken in divers Senses, then that the Sense they claimed to have it in, might be allowed.

This was the [5] Answer: That the Interpretation of the King's Charters belonged to him; and if any Doubt arose, the King, by Advice of his Council, would make such Interpretation as should be according to Reason and Good Faith (*& bone Foy*.)

Several [6] Rencontres, Burning and Plundering each others Towns on the Coasts, and some in the Countries, taking and surprizing of some small Towns and Castles happened between the English and French at this time.

The Town of [7] Arde was betrayed to the French. Sir Thomas de Hilton Governour of Aquitan, marched with a few English against a Body of French, was overcome by them, and taken Prisoner, with many Noblemen of that Country of the English Party. About the same time the English having notice, that there were many Spanish Ships in the Harbour of Sluse in Flanders, set out a great Fleet to surprize them, under the Command of Thomas of Woodstock Earl of Buckingham, the Duke of Brittan, who was then in England, and others, which by Storm was scattered at Sea; but after the Storm, came together again upon the Coast of England, where they suddenly refitted, and put to Sea again, and took Eight Spanish Ships near Brest, and Twenty two others of several Nations laden with French Goods.

High Caverly Governour of Calais, burnt Twenty six French Ships in the Haven of Bologne, burnt the Low Town, and returned with much Plunder of Goods and Cartel.

The Men of Rye and Winchelsey failed toward Normandy, landed in a small Town and Port, where they killed all they met in the Streets, except such as they thought able to redeem themselves by Money; those they carried Prisoners to their Ships; and then burning the Town and Country, returned home with a rich Prey.

The Commons Petition for a Parlement.

[2] Ib. n. 95.

[3] Ib. Ra. The Answer to that Petition.

[4] Ib. n. 131. The Citizens of London demand they may have their own Interpretation of their Charters.

[5] Ib. Ra. The Interpretation of Charters belongs to the King, &c.

Rencontres between the English and French, &c.

[6] Wall. A.D. 1377, 1378.

1 & 2 Ric. II.

[7] Ib. The Town of Arde betrayed.

8 Spanish Ships taken, and 22 of other Nations.

26 French Ships burnt.

The Men of Rye and Winchelsey land in Normandy, kill and burn, &c.

The Duke of Lancaster equips a great Fleet.

Henry the Bastard King of Spain prepares a great Fleet to oppose him.

The Duke delayed his putting to Sea. The English Fleet beaten by the Spaniards.

Ships taken out of Scarborough Haven by John Mercer a Scot. J. Philpot sets out Men of War at his own Charge; Takes Mercer with all his own and 15 Spanish Ships that had joined him. Was questioned for it, but discharged.

The King of Navarre sells Cherburgh in Normandy to the English. The Duke of Lancaster puts to Sea; Lands in Brittany; Returns ingloriously.

About this time the Duke of Lancaster desired to have the Money granted the last Parliament, upon promise to secure the Kingdom from Invasion of all Enemies for one Year, and to do some other great Good to the Nation; which at length he obtained; and provided a great Fleet, and also for his Assistance hired Nine Ships at Bayon, which in coming hither encountered a Fleet of Spaniards, and took Fourteen Ships laden with Wine and other Merchandise.

Henry the Bastard, that called himself King of Spain, hearing what those of Bayon had done, and that the Duke of Lancaster was putting to Sea with a great Fleet and Force, fearing him, by reason of his Title to his Kingdom, prepared a great Navy to oppose him, and if he could to take him Prisoner. The Duke delayed the time of his putting to Sea; the Chief Officers of the Fleet were disturbed at it, and sailed without him; and having been some days at Sea, met the Spanish Fleet, by which they were beaten, and Sir Hugh Courtney, a Famous Soldier, taken, with many others. This Misfortune, says Walsingham, was imputed to the Duke, for that he made such long Delays; but whether he was in Fault, knew not.

And while he was thus Dilatory, John Mercer a Scot, with a small Force of French, Scots, and Spaniards, took some Ships in Scarborough Haven, killing some of the Mariners, and carried them with him to Sea.

John Philpot, a rich Citizen of London, considering the Negligence, if not the Falsity of those who were to defend the Nation, and provide against such Inconveniences, at his own Charge set out some Men of War, which met with Mercer, and 15 Spanish Ships that had joined him, and behaving themselves bravely, took him and all the Ships with him, recovering the Ships that were taken at Scarborough, and taking great Riches in the Spanish and other Ships. John Philpot was taxed by the Lords for presuming to set forth Men of War, without Advice of the King's Council; but he made such a Defence before the Earl of Stafford, and others, that called him to account, as he was suffered to depart, without further Trouble for that matter.

Still the Duke delayed his going to Sea, it not being known for what Reason, until the Spring and beginning of Summer were over; but by his Persuasion the Earls of Salisbury and Arundel set sail, and landed in Normandy, who compounded with the King of Navarre, then become Enemy to the King of France, for the Town and Port of Cherburgh, then very considerable, in which was placed a Garrison of English; and so the Earls returned.

At length the Duke of Lancaster went to Sea, and with him the Earls of Buckingham, Stafford, Warwick, and others of the English Nobility, with a great Force; they landed in Brittany, where Sir Robert Knolls burnt several Towns, and lost many of his stoutest Men. The Duke besieged St. Malo; but it was so well defended as he raised the Siege, and returned home. Walsingham says, at first the Townsmen would have yielded, so as the Town might have been preserved from being burnt and plundered. The Duke would not accept it, but upon Discretion, and that he might do with it what he pleased. In the mean time

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time the French landed in Cornwall, and burnt Fowey, or Foy, and several other Towns, without Resistance.

The Scots taking the Advantage of the present time, burnt Roxburgh, and spoiled the Country thereabout; whereupon a Truce was made between the English and them for some time.

On [8] Thursday the 21st of October (it having met the Day before) the Parliament late at Gloucester, in the Great Hall of the Abby there. The Bishop of St. David's, then Lord Chancellor, declared the cause of Summons; wherein he took notice of what had been done by the Scots at Roxburgh; and that since, [9] notwithstanding the Truce, they had made Alliance with the French against England.

Next Day Monsieur Richard le Scrop, Steward of the Household, enlarged upon the Causes of Calling the Parliament; and making excuse for his own Inability, [1] told the Prelates, Lords, and Commons, as the Chancellor had said before, That the Nation was encompassed with Enemies, who daily increased: That the Ports of Cherburgh and Brest, which of a long time had not been in the hands of the English, besides Calais, Burdeaux, and Bayon, with the Countries about them, were very chargeable to maintain; Calais, with its Marches, or Limits about it, stood the King in 24000 l. every Year, and Brest 12000 Marcs; and the other three Places according to the same Rate.

Afterwards [2] Sir James Pickering, Speaker of the House of Commons, with the Commons came before the King, Prelate, and Lords in Parliament (& puis le Communes revindrent devant le Roy, les Prelates en Parlement, & illeques Monsieur James de Pickering, &c.) making Protestation, as well for himself as for the whole Commons of England: First, for the Commons, That if he should utter any thing to the Prejudice, Damage, Slander, or Disgrace of the King or his Crown, or in lessening the Honour or Estate of the Great Lords, it might not be taken notice of by the King, and that the Lords would hold it for nothing, as if nothing had been said; (& primerment par la dite Commune, que si per cas il y dist choses que purrent soner en Prejudice, Damage, Esclandre, ou Villaine de nostre Seigneur le Roy ou de sa Couronne, ou en anientissement del Honour & Estate des Grands Seigneurs du Roialme, que ce ne fust acceptez par le Roy, & les Seigneurs eins tenus par nul, come Riens n'est este dit;) for that the Commons sovereignly desired (soverainement desirant) to maintain the Honour and Estate of the King, and the Rights of the Crown in all Points: As also to preserve the Reverence due to the Lords in all Parts. So much for the Commons. For his own Person, he made Protestation, That if by Indiscretion he spake any thing by Common Assent of his Companions, it might be amended by them before their departure, or afterwards.

He then [3] rehearsed in short Words the Articles of the Charge (il rehearceast en courtes Paroles les Articles de les Chargez a eux donnez:) And first for the Liberties and Franchises, for the Honour of God granted to Holy Church, and for the King's Promise of preserving the Good Laws and Customs of his Kingdom entirely, and punishing such as should any thing do against them; the Commons humbly thanked him with their whole Hearts, kneeling upon the Ground (les genoux a Terre) and praying God they might be put in due Execution.

The French land in Cornwall; Burn Foy and other Towns. A Truce between the English & Scots, who had burnt Roxburgh, &c. [8] Rat. Parl. 2 Ric. II. a. 2. A Parliament at Gloucester. The Scots make Alliance with the French. [9] Ibid. n. 7. [1] Ibid. n. 15. Declaration of Summons.

[2] Ibid. n. 16. The Speaker's Request and Protestation in behalf of himself and Commons.

[3] Ibid. n. 17. Liberties and Franchise of the Church. Good Laws and Customs.

As

[6] Item n. 18.
The Commons
Petitions why they
ought not
could not
grant an Aid.

As to the Aid the King [4] demanded of his Commons, for the Defence and Safety of the Kingdom, and for the Safeguard of his Lordships, Lands, Towns, and Ports beyond Sea, and toward his Wars; the Commons said (*la Commune dit*) That in the last Parlement in his first Year, the same things were shewn unto them in behalf of the King, at which time they answered, It was apparent the King had not so great need for an Aid, seeing he had in his hands the *Priorities* alien, the *Subsidies* of Wooll, the *Revenues* of the Crown, the *Lands* of the Prince his Father, and many other Great Lordships, by the *Nonage* of the Heirs of them; and that therefore there must be great Plenty of Money in the Treasury. To which the King's Council then answered, That lately the Charge of the Coronation had been very great, and that the Money upon those Funds they mentioned came in very slowly, nor could they be collected soon enough for an Expedition that Year. And it was then further said, That if the Commons would furnish the King with a great Sum of Money, to make such an Expedition as might be for the Destruction of his Enemies (*en destruction des ses Enemies*) they hoped he might have Money sufficient afterwards from time to time to maintain the War and defend the Kingdom. And thereupon the Commons then said, That in hopes of that Promise, to be discharged of *Tallage* for a great time after, they granted a greater Sum than had been given to any King to be levied in so short a time: And all things considered, it seemed to the Commons, that there must be a great Sum in the Treasury, besides what had been expended in the last Voyage; so that the King had no need to charge the Commons, who were in a lower Condition than ever, by reason of that Payment, and lately by the *Murrein* amongst their Cattel, and their *Enemies Burnings* upon the Sea-Coasts: That their *Corn* and other *Chattels* were at so low a Rate, that no Money could be raised at present. And hereupon they prayed the King to excuse them, not being able to bear any Charge for pure Poverty (*pur pure Povertee*.)

[5] Item n. 19.
A full Answer to those
Petences.
The Commons charged
with untruth.

To all which, [5] *Monsieur Richard le Scrop* answered, making Protestation, That he knew of no such Promise made in the last Parlement; and saving the Honour and Reverence due to the King and Lords, what the Commons said was not True; (*le dit de la Commune en celle partie ne contient my veritee*.) And as to the Subsidy last granted, that a great part of it was in the Treasury, to wit, of the Two Fifteenths and Two Tenths, and afterward of Wooll in that Parlement, he vouched the Testimony of *William Walworth* and *John Philpot*, who by their Consent were appointed Receivers of them, that every Penny thereof was expended upon the War, and that not one Penny came to the High Treasurer of England, or any other to the Use of the King: That the Revenues of the Crown, besides the Annuities and other Charges upon them granted by his Grandfather and Father, were too small; and without the Customs of Wooll, and Lands of the *Priors aliens*, the Honour and Estate of the King could not be maintained: And therefore they were to know, that according to Reason they ought to relinquish their Complaint, if they pleased (*a celle plaint vogs faut par Reson cesser, si vous plest.*)

Where-

Whereupon the Commons, [6] after a short Deliberation, made it their Request to the King, he would please to shew them how and in what manner the great Sums given for the War had been expended; and also, that he would please to let them know the Names of such as should be the Great Officers of the Kingdom, and who his Counsellors, and Governours of his Person, being yet of tender Age, for the next Year, as it had been before Ordained in Parlement.

To which it was [7] answered, on the behalf of the King, by the said *Monsieur Richard*, That though there never was any account given of Subsidies, or any other Grant made in Parlement or out of Parlement, to the Commons, or any other but to the King and his Officers; yet he willed and commanded of his own motion, to please the Commons, not that it was of Right for him so to do, or that he was forced to it do, by reason of their Request now made, That *William Walworth* then present, with some of his Council assigned thereto by him, should in Writing clearly shew them the Receipts and Expences, so as it should not be drawn into Example for the future.

As to the Officers, the King had caused them to be chosen by the Advice of the Lords: And as to his Counsellors, they should be such as pleased him (*&erra les Counsellors de tieux come luy plerra*) whose Names they should receive in certain (*si plest au Roy*.)

The King commanded, charged, and prayed them, and also all the Lords present prayed them, (*& nostre Seigneur le Roy vous commande & charge, enpriant, & ainsi vous prient touz les Seigneur cy presentz*) That having due Consideration of the great apparent Dangers on all sides, they would provide for the Defence of the Kingdom, which not only concerned the King, but all and every one of them, and think how the War might be maintained, and give as speedy an Answer as they could, that the Parlement might have an end, and good effect, in ease of the King, Lords, and themselves, for the Profit of the Kingdom, and Discharge of the poor Commons, that every day paid their Expences during the Parlement; which was one of their principal Charges given the first day. Another was, That if any Fault was found in any part of the Kingdom, or Government, in the Laws, or any other manner, that they would bring in their Petitions concerning it, and they should have due Remedy.

The Commons desire to have the time limited to bring in their Common Bills, or Petitions; and that it might be prolonged to the Feast of All Souls, or 2d of November next coming, that Day to be accounted in (*& ce lour estoit ottoiez*) which was granted.

Also the [8] Commons prayed the King to have a Copy of the Enrolment of the last Subsidy of Fifteenths and Tenths, as they had been enrolled upon the Roll of Parlement, for them to advise upon (*& ce lour estoit ottoiez, come de la voluntee, nostre Seigneur le Roy, & ne mya a lour Requeste*.) And this was granted as the King's Pleasure, and not upon their Request.

[6] Ib. n. 20.
The Commons request
to know how
the Money
had been expended;
To know the
Names of the
Great Officers
and Governours
of the King's Person
for the Year
ensuing.
[7] Ib. n. 21.
The Answer to
both those
Requests.

The Commons
commanded and
prayed to dis-
patch their
Parlement-Bu-
siness.

To save the
Charge of the
poor Com-
mons in pay-
ing their Wa-
ges.

They desire
the Parlement
may be conti-
nued to Nov. 2.
It began Octob.
20.

[8] Item n. 22.
They pray to
have a Copy
of the Enrol-
ment of the
last Subsidy of
15ths and
10ths.
Grant'd at the
King's Plea-
sure, not their
Request.

They

[9] Ib. n. 23. How and in what manner a Committee of Lords and Commons were chosen to Treat and Confer. And the Reports to be made.

[1] Ib. n. 24. The Commons upon Petition of the Involment, pleaded with the Accounts. Say, they were not bound to bear any Foreign Charge.
[2] Ib. n. 25. The Answer to that.

[3] Ibid. A further Proposition of the Commons to avoid an Ayl. The Answer to that.

The King Commands, and the Lords pray them, to give an effectual Answer to their Charge.

[4] Ib. n. 29. The Prelates, Lords, and Commons, grant a Subsidy of Wooll, Leather, &c.

And 6 d. in the Pound upon Merchandise.

[5] Ib. n. 30. [6] *Walshingham*. f. 219. n. 10, 20, 30, 40. A. D. 1378.

They pray [9] likewise, That Five or Six Prelates, and Lords, might come to the Commons to Treat with them about their Charge; The Lords Answer, they neither ought or would do it in that manner, which had never been seen but in the Three last Parliaments; but the Custom was, for the Lords to choose a small number of Six or Ten, and the Commons as many of themselves, and Treat together without noise, and report what they had done, to their Companions of one part and the other; according to this Method the Lords would act, and no otherwise, and to this the Commons assented, to proceed as had anciently been used.

After [1] the Commons had seen and Examined the Involment, Receipts, and Expences, they were well pleased with them, as honourable to the King and Kingdom; They only said, That 46000*l.* which was expended in keeping several Countreys, Places, and Fortresses, as the Marches of Calais, Brest, and Cherburgh, Gascoigny and Ireland, was not to be charged upon them, nor as it seemed to them, were they bound to bear any Foreign Charge.

To which [2] it was answered, That Gascoigny, and the Ports beyond Sea, were Barbicans, and as it were Outworks, and Defences to England, and if they were well Guarded, and the Sea well kept, the Kingdom would be quiet, otherwise it could not be so.

The Commons [3] then propounded this Charge to be born by the Goods of King Edward the Third; which the King possessed, and was much enriched by them.

Whereto it was answered, That those Goods were justly prized, and delivered to those his Grandfather was indebted, except some Necessaries reserved for his own House, for which he had paid in part, and was to pay in whole for the satisfaction of his Creditors; and therefore the King commanded, and the Prelates and Lords prayed them, as they had done before, (*Et pource nostre Seigneur le Roy vous commande, & les Prelates & Seniors vous prient come devant, &c.*) to advise about their Charges, and give good and effectual Answers, with as much haste as might be, for the common Profit of the Kingdom, and the Ease of the Lords, and themselves.

At length, notwithstanding these Excuses, the [4] Prelates, Lords and Commons, perceiving the great Perils wherewith the Land was encompassed, and the great and outrageous Expences the King was to be at, for the Safety and Defence thereof, granted to him the Subsidy of Wooll, Leather, and Woollfells, for Three years; Of Wooll 43 s. 4 d. the Sack; Of Woollfells as much, that is, for every 240 of them, (accounting Sixscore to the Hundred;) and for Leather 4 l. 6 s. 8 d. every Last, which were Exported by Denizens and Strangers, besides the ancient Custom. And as an additional Grant, they gave more 13 s. 4 d. for every Sack of Wooll, as much for every 240 Woollfells, and for every Last of Leather 26 s. 8 d.

Also they [5] gave 6 d. in the Pound for every Pound value of Merchandise, as well of Denizens as Strangers, both Imported and Exported, for One year.

The Scots [6] on Thursday before St. Andrew, or the 30th of November, in the night, surprised Berwick Castle, and killed Sir Robert Boynton the Governor, but suffered his Wife and Children and

and their Friends to depart, upon Condition to pay 2000 Marks within 3 weeks, or deliver themselves Prisoners; but the Earl of Northumberland gathered a sufficient Force, and in Nine days retook it by Assault, putting to the Sword all the Scots he found in it, except one that was to discover this Contrivance, and the Scots Designs.

The King of France [7] about this time assembled a Parlement at Paris, when upon pain of Death he forced the Noblemen of Britany that were there, to Swear to yield to him the fortified Towns and Castles they held, whenever he would demand them; At their return home, they Manned and Victualled their Castles, and Places of Strength; To reduce them, he sent Bertrand de Clequin with a good Army, which the Britans forced to retire out of their Country.

Sir Robert Ross [8] was recalled from the Government of Cherburgh in Normandy, and Sir John Harleston put in his place; and in the stead of Sir Hugh Calverley, the Earl of Salisbury was made Governor of Calais; who not long after his coming, entered into France beyond the Marches, plundered the Country, and brought with him a great Prey.

Sir Hugh Calverley, [9] and Sir Thomas Percy, were joined in Commission to keep the Sea, who with a great Force of Armed Men failed to the Coast of Britany, where they took Seven Ships of Burthen, and One Man of War, and sent them into Bristol; and afterwards set on Shoar a Party of Men to plunder the Country, (*ad depredandum patriam convicinam*) who were all taken by Geoffrey Cornet, a British Knight, that lay there in Ambush, who commanded his Men not to hurt any of them; and by a safe Conduct from Sir Hugh Calverley, delivered them all to him without Ransom, and informed him, That if he would land, it would much please the Lords and Inhabitants of the Country, who were ready to deliver unto him their strong Towns, and Castles, if he would remain there for the Guard of the Country; who Excused himself, and said he had other Matters to prosecute, and could not then satisfy their Desires.

The Duke of Britan, by his own Subjects, with the assistance of the King of France, had been forced out of his own Country in the time of Edward the Third, and was now in England, and made a very strict League, Offensive and Defensive, with King Richard, between them and their Subjects, and no Peace to be made with France, but by mutual Consent; The Original being in the Old Chapter-house at Westminster, Dated March 1. in the Year of Grace 1379, at Westminster.

Before this, [7] on the 16th of February, Writs were issued for a Parlement to meet 15 days after Easter, in which the Lords and Commons, considering the great Necessities of the Kingdom, the Malice of its Enemies, of France and elsewhere, upon Condition the Mark upon every Sack of Wooll, and the 6 d. in the Pound which was given in the last Parlement at Gloucester, should be remitted, did then grant [8] The Subsidy of Wooll for one year after the Feast of St. Michael next coming, of every Sack of Wooll, as it had been granted before the Parlement at Gloucester, and likewise a Sum to be paid by divers Persons of the Kingdom, as there ordered and named. For which see the Appendix, Numb. 102.

Berwick surprised by the Scots.

Retaken by Assault.

[7] *Walshingham*. f. 219. n. 50. The Britans forced to Swear to deliver their Forts and Castles to the King of France upon demand.

[8] Ib. f. 220. lin. 13. Governors of Towns changed.

[9] Ib. n. 20, 30, 40.

The Britans offer to yield their Towns and Castles to the English.

A League Offensive and Defensive between King Richard and the Duke of Britan.

[7] *Rot. Clauf.* 2 Ric. II. M. 13. Def. A Parlement called.

[8] *Rot. Parl.* 2 Ric. II. n. 13. The Subsidy of Wooll, &c. granted. And a Sum of Money upon particular Persons.

U u

Not

[9] *Walsingham* f. 225. n. 50. The Duke of Britan called home.

A. D. 1379. and 3d of Ed. III.

A great Mortality in the North.

[1] Ib. f. 228. n. 10, 20, 30. The Scots harrafs and plunder the Country.

[2] Ib. f. 231. n. 50. f. 232. n. 10, 20, 30. A Fleet and Army to assist the Duke of Britan.

The Fleet destroyed by Tempest.

[3] F. 335. b. 40. The French and Spanish Fleet destroyed by the same Tempest.

[4] Rot. Clause 3. Rot. II. M. 32. Def. A Parliament called.

[5] Rot. Parl. 3. Rot. II. n. 12. A. D. 1380. The Commons pray the Continual Council may be discharged. The Five great Officers not to be changed until next Parliament.

[6] Ib. n. 13, 14. A Commission of Inquiry into Courts, the State of the King's House, Revenues and Expenses, &c.

Not long after this Parliament, the [9] Britans called home their Duke, who was conveyed by Sir Thomas Percy, and Sir Hugh Calverley, and landed at a Port near St. Malo on the 4th day of August, where, and in all Places, he was received with a mighty Welcome, and strange Rejoicings, as well of the Lords and Great Men, as Common People.

This Summer there happened [1] a great Mortality of People in the North parts of the Kingdom, whereby the Country became almost desolate; The Scots took this advantage, invaded the Borders, harraffed, robbed, and plundered the same, killing many of the People that were left alive, driving away vast numbers of Cattel, scarce leaving any thing behind them, not so much as Hogs, which they never drove away before.

About the [2] Feast of St. Nicholas, or 6th of December, this Third year of the King, a Fleet, with an Army, to assist the Duke of Britan against the King of France, who had invaded his Country, and taken several of his Towns and Castles, was to have passed into that Dukedom, under the Conduct of Sir John Arundel, Sir Hugh Calverley, Sir Thomas Percy, Sir William Elinham, Sir Thomas Morew, Sir Thomas Banestor, and many other Knights, Esquires, great Soldiers; so soon as they were out at Sea, there arose an horrible Tempest, which scattered the Fleet, and drove them they knew not whether, Sir John Arundel's Ship was lost, and himself drowned, as likewise Twenty five more, and above 1000 Men; Sir Thomas Percy, Sir Hugh Calverley, and Sir William Elinham, with others of Note, hardly escaped.

At the same time, says [3] Walsingham, the Spaniards and French had brought together a mighty Fleet out of France, Spain, Portugal, and other Countreys subject to them, to hinder the landing of the English in Britany, but met with the same Storm and Tempest, and lost more Men and Ships then the English did.

On the 20th of October last past the King had sent forth [4] Writs for a Parliament to meet on Monday next after St. Hilary, or the 14th of January, wherein the Commons, by their Speakers, [5] pray, That the Prelates and other Lords of the Continual Council, may be discharged, and no such to be retained, seeing the King was of good Discretion and Stature (de bone Discretion & Bel Stature) in respect of his Age, which agreed with the Age of his Grandfather, at the time of his Coronation, who then had no other Counsellors, but the Five Principal Officers of his Realm; Praying further, Those Five Officers, that is to say, the Chancellor, Treasurer, Guardian of the Privy Seal, Chief Chamberlain, and Steward of the Household, not to be renewed or changed until the next Parliament.

They likewise [6] Pray a Commission to certain Commissioners, to Survey and Examin, in all Courts and Places, the State of the King's Household, the Expenses and Receipts in all the Offices, &c. This was granted, and a Commission made to the Earls of Arundel, Warwick, and Stafford, William Latimer, Guy Bryan, and John Montacute, Banerets, John Hastings, John Gildesborough, and Edward Dalyngrugge, Knights, William Wabworth, and John Philpot, Citizens of London, and Thomas Graa, Citizen of York, &c.

Then

Then the [7] Lords and Commons, perceiving the King and Kingdom were set round with Enemies, who with great Force endeavoured all they could, as well by Land as Sea, to destroy them both, and further to extinguish the English Language, therefore for the Defence and Safety of the Kingdom, and for the good Success of the Expedition ordered into Britany, and Destruction of the said Enemies, grant freely, tho it was very hard to be born, to the King One Fifteenth and half without Cities and Burghs, and One Tenth and half within Cities and Burghs; with Prayer, That his Subsidy, and what was remaining of that given the last Parliament might only be applied to the Expedition into Britany, and no where else.

Considering also, [8] that the Subsidy of Woolls, Leather, and Woollfells, was to end at Michaelmas next coming, and that from thence the King was not able to endure the great Charges he was to be at, to maintain the War in the Marches of Calais, Brest, Cherburgh, in Gascoigny, Ireland, and the Marches of Scotland, they grant him the same Subsidies, from the time they were to end, until Michaelmas next after; praying the King, there might not be a Parliament to charge the Poor Commons, until a year after Michaelmas next coming.

The Scots toward the latter end of this [9] Summer invade Cumberland and Westmerland, raging, killing, and burning every where, and driving away, as the Historian says it was reported, 40000 of all sorts of Beasts; and went to Penreth, where was then a great Fair and Confux of People, they killed some, carried away others Captive, and with them, all the Goods of the Town and Fair.

The Earl of Northumberland was preparing to [1] drive them out of the Country and Borders, and force them to make Satisfaction, or do the same things in Scotland, when he received a Prohibition from the King not to do any thing, but to expect the March Day, which was a day appointed for the English and Scots to meet every year, and adjust things done by either Nation upon the Borders.

In the same year, [2] on the 16th of September, died Charles the Fifth King of France, called The Wife; On his Death-Bed he left the Regency to his next Brother the Duke of Anjou, directing him to make some Agreement with the Duke of Britan if possible.

His Eldest Son [3] Charles succeeded him, being then about Twelve years of Age, and was Crowned at Rheims on the 4th of November.

At this time there were great [4] Tumults and Disorders in France, by reason the Duke of Anjou had not taken off the Imposts, as his Brother had Commanded on his Death-Bed, but settled new ones, especially upon the City of Paris.

The like [5] Mutinies, Confusions, and Tumults, were then in Flanders, by the Seditious People against their Earl, especially those of Ippe, and Gaunt, having received great Provocations from him, as Walsingham relates it.

After the [6] Disaster of the Fleet and Army under the Command of Sir John Arundel, Sir Thomas Percy, &c. the Duke of Britan this Summer about Whitfuntide, sent to the King for Assistance

[7] Ib. n. 16. The Lords and Commons grant a Fifteenth and half, and Tenth and half, For an Expedition into Britany.

[8] Ib. n. 17. The Subsidy of Wooll, and granted a further time.

[9] Walsingham. f. 240. n. 30, 40. A. D. 1380. The Barony of the Scots in Cumbreland and Westmerland.

[1] Ib. Which was to be considered on the March-Day.

[2] Marray, f. 398. The Death of Charles King of France.

[3] Ib. f. 400, 401. His Son Charles succeeded him [4] Ib. and f. 402, 403. Great Tumults and Disorders in France.

[5] Ib. and Walsingham f. 241. n. 10, 30. The same in Flanders.

[6] Frolard, c. 360.

The Duke of
Britan sends
to the King
for Assistance.
[7] Ibm.
[8] Ibm.

[9] Ib. c. 363,
and 365.

[1] Ib. c. 368.
The Duke's
negligence.

[1] Ib. c. 369.
The English
besiege Nantes.

The Duke's
further Neg-
ligence.

[3] Ib. c. 374.
They raise
the Siege.

[4] Ibm.

[5] Ibm.
The Duke of
Britan makes
his Peace pri-
vately with
France.

The Articles
of that Peace.

[6] Ibm.

[7] Ibm.

[8] Holinshed,
F. 428. and
Walsingham,
F. 244. n. 20, 30.
The Duke of
Lancaster went
with a great
Force into the
North
parts.
And did no-
thing.

istance against the *King of France*. *Thomas of Woodstock*, Earl of *Buckingham*, [7] as General, the Earl of *Stafford*, and many *Barons*, *Knights*, and *Esquires*, of great Note and Skill in Arms, were appointed and retained for this Expedition, and [8] landed at *Calais* on the 19th of *July* 1380, and marched from thence into *Britany* thro' *Champagne*, and other *Countreys*, by small *Marches*, without any considerable Disturbance, [9] *wasting* the *Countreys* as they went, staying 2, 3, 4 days, or more, at every place or good Town, where they rested and took up their Quarters; When they came near *Britany*, the *Englishmen* wondered they [1] heard not from the *Duke*, the Earl sent to him Sir *Thomas Percy*, and Sir *Thomas Trivet*, who met him on the way going to the *Earl*; When they came together at *Remes*, they resolved to besiege *Nantes*, as the most *obstinate* and *Rebellious* [2] *Town* in *Britany*, the *Duke* to assist the *Earl* in this Siege with his whole Force; The *English* remained 15 days at *Remes* to make themselves ready, and went before the *Town*; They within the *Town* had notice of these things, who sent to the *Duke* of *Anjou*, to send them some *French* Officers and Soldiers, to join with them for the Maintenance of the Place, and they had them. The *English* lay before [3] *Nantes* Two months and four days, and never heard of the *Duke* or his Men, when on the day after *New-years-day* they raised the Siege, and marched towards *Vannes*, where the *Duke* was, and there, and several other Towns near upon the Coast of *Britany*, the *English* were Quartered all Winter. [4] The *Earl's* intention was at the Spring to march into *France*, and to that purpose sent into *England* for more Forces; The *King* and his *Council* approved his Design, and engaged to send another Army to land at *Cheerburgh* in due time to join him.

All this while the *Duke* had [5] had *Commissioners* at *Paris*, privately making his Peace with the *Duke* of *Anjou*, which was concluded upon these Articles: First, it was agreed, That the *Duke* of *Britan* should provide Ships to carry back the *English* into their own Country. Secondly, That the *Garrison* of *Cheerburgh*, which was with the *Earl* before *Nantes*, should, if they would, return thither by Land, and have Safe Conduct. Thirdly, That after the departure of the *English*, the *Duke* to go into *France*, and do his *Homage* and *Falty* to the *French King*, as his *Natural Lord*. [6] Soon after this Agreement, the *Duke* came to *Vannes*, and privately acquainted the *Earl* with it, excusing himself by the obsequy of his People, and that otherwise he must have lost his Country. [7] On the 11th of *April* the *Earl*, with the *English*, set sail from *Vannes*, and other small Ports near, and came for *England*.

About *Michaelmas* [8] the *Duke* of *Lancaster*, the *Earls* of *Warwick* and *Stafford*, with other *Lords*, and great Soldiers, with a great Force, went into the *North* Parts, to Account with the *Scots* for their late Invasion, and lay so long in *Northumberland*, as they ruined the Country more than a *Scottish* Irruption would have done; They made a *Truce* with the *Scots* for half a year, and so returned, bringing nothing from *Scotland* but some *Horses*, which they divided amongst themselves.

On

On Monday next after the [9] Feast of all *All-Saints*, there was a *Parlement* holden at *Northampton*, which was adjourned until *Thursday*, at which time the *Arch-Bishop* of *Canterbury*, then *Chancellor*, tho many *Temporal Lords* were absent in the *Marches* of *Scotland*, with the *Duke* of *Lancaster*, declared the Causes of their Meeting, [3] saying it could not be unknown to them, That the *Earl* of *Buckingham* had been sent over into *France* with an Army, which had cost the *King* more then was given him last *Parlement*, besides the Expedition into *Scotland*, the Defence of *Guien*, and his Charge in *Ireland*, had put him to so great Expences as he had been forced to pawn his Jewels, the *Subsidy* of *Woolf's* coming to little by reason of the present *Riot* or *Confusion* in *Flanders*; That the *Soldiers* in the *Marches* of *Calais*, *Brest*, and *Cheerburgh*, were in *Arrear* more then Three months, and there was fear they might desert for want of their Pay; That they were to Consider the *King* was mightily in Debt; That he was bound by *Covenant* and *Indenture*, to pay the *Earl* of *Buckingham* and others in that Expedition, for another half year, which was near ended; and that the *King* was to be at a very great Charge for Guarding the Coasts; And at last desires them to Advise the *King*, how this Charge might be born with the most Ease, and the *Kingdom* best defended against all its Enemies by Land and by Sea, in as short time as they could.

And when the [4] *Commons* had Treated one day about their Charge, (*Et Apres les dites Communes avoient entre comuer & tretes un jour de leur dit charge*) they returned into the *Parlement* in presence of the *King*, *Prelates*, and *Lords*, and there *Monsieur John Gildesburgh*, *Kt.* their *Speaker*, demanded a more clear Declaration of what had been said to them, and especially what Sum they would demand to support the Charge, praying no more might be required then was necessary, (*& illoques Monsieur Johan Gildesburgh Chivalier quavoit les paroles par la Commune, demanda de par la Commune illoque d'avoir plus clere Declaration de leur dite, & per especial de la somme totale, quelle leur verroit ore demander, pur les ditz charges supporter empriantz que celle somme fust tielment modifiez, que plus ny fust demandez que ne convendrait necessairement*) for that the *Commons* were poor, and of small Estate to bear the Charge any longer; [5] whereupon a *Schedule* was delivered in by the *King's* great Officers, and *Council*, containing the Sums necessary, which amounted to One hundred and sixty thousand Pounds Sterling.

The *Commons* pray [6] the *King*, and *Lords*, (*la Commune empriantz a nostre Seigneur le Roy, & as Seigneurs du Parlement*) for that they thought the Sum demanded, was much outrageous, (*que la somme de eulx ore demandez si est moult outrageous*) and importable, That they would use such moderation, as nothing might be demanded but what was portable, and necessary now to have, for the Causes above set forth; And further, they pray, That the *Prelates* and *Lords* would Treat by themselves about the Matter, and propound the Ways by which any such Sum portable might be levied and collected.

After the [7] *Lords* had advised about the Matter, they caused the *Commons* to come before them, (*ils firent la Commune venir autre fois devant eulx*) and told them what they had thought

[9] *Rot. Parl.*
4. Ric. II. n.
1. 2.
A *Parlement*
at *Northampton*.

[3] Ib. n. 34.
The Cause of
Summonns.

The *King's*
Necessities
and great
Charge.
Forced to
Pawn his
Jewels.

[4] Ib. n. 10.
The *Com-
mons*, with
their
Speaker, in
presence of
the *King*, *Pre-
lates*, and
Lords.
Desire to
know what
Sum was de-
manded, to
supply the
King's Necessi-
ty.

[5] Ib. n. 11.
The Sum de-
manded was
160000 l.

[6] Ib. n. 12.
The *Com-
mons* think it
an Outrage-
ous and im-
portable Sum.
And pray the
Prelates and
Lords would
Treat and
Propound
the Ways
how a port-
able Sum
might be le-
vied.

[7] Ib. n. 13.
The *Lords*
cause the
Commons to
come before
them.

on

And pro-
posed several
Ways of rais-
ing Money to
them.

[8] Ib. n. 14.
The Com-
mons desire
One Third of
the Tax
might be
born by the
Clergy.

[9] Ib. n.
The Clergy
claim the Li-
berty of the
Church, and
affirm their
Grants ought
not to be
made in Parle-
ment.

[1] Ib. n. 15.
Three Groats
granted upon
every Person.

Many Riots
and Insur-
rections in
the Nation.

The Three
Groat Tax
the supposed
cause of them.

on; First, That a certain *Sum* of *Groats* might be granted of every Person of the Kingdom, *Males* and *Females*, the more sufficient to help the less sufficient. Secondly, if that pleased not, to have for a term an *Imposition* upon all manner of *Merchandise* bought and sold thro the Realm, every time they should be sold, to be paid by the *Vendor*. And, Thirdly, Their Advice was to raise a certain Sum by *Tenth*, and *Fifteenth*. But because the last were very *grievous* to the poor Commons, (a la *poivre Commune*) and that *Impositions* had never been tried before, nor could it be known to what Sum they would rise, nor in what time a notable Sum might be raised, and therefore the *Lords* pitched upon the *Groats*, and propounded four or five to be levied upon every Person as above, so as the most able might be constrained to assist the less able; This way of *Tallage* seeming to them the best and most easie.

The [8] *Commons*, when they had a long time *Treated* upon the manner of the Levy, they came into *Parlement* and made *Protestation*, they came not to grant any thing that day, but they thought if the *Clergie* would support a Third part of the Charge, they would grant 100000*l.* to be raised by a certain number of *Groats*, so as the *Laity* might pay 100000 *Marks*, and the *Clergie* 50000, for that they possessed a Third part of the Kingdom; and prayed the King and Temporal *Lords*, to move it to them, speedily to resolve and take upon them the Charge.

To which the *Clergie* [9] Replied, That their *Grants* were never made in *Parlement*, nor ought to be, and that the *Laymen* neither ought nor could constrain them in that Case, and claim the Liberty of the Church, which it had enjoyed before that time, and desire the *Commons* might be charged to do what they ought, and were bound to do, (*come ils doivent & sont Tenus del faire*) and they would do in the present necessity as they had done before.

At last the [1] *Lords* and *Commons* agreed to give Three *Groats* of every Person of the Kingdom, *Males* and *Females*, of the Age of Fifteen years, of what Condition and Estate soever they were, except very Beggars; The Sufficient People in every Town to contribute to the assistance of the less able, so as none paid above Sixty *Groats*, including those for himself and Wife; The whole to be for the Support of the *Earl* of *Buckingham*, and the other *Lords*, and People with him in *Britain*, and for Defence of the Kingdom, and Safeguard of the Sea: Two parts to be paid Fifteen days after St. *Hillary*, and the other at *Whitsunday* next after. No *Knights*, *Citizens*, or *Burgeses* of this *Parlement* to be *Collectors* of this Money, but that the King would order thro the Kingdom such as should equally levy it, according to the meaning of this Grant.

Toward the latter end of this Fourth year of *Richard* the Second, there happened many Riots, Insurrections, and Rebellions in many places of the Kingdom; The *Historians* tell us this Three Groat Tax, and the Insolence, Incivility, and Rudeness of the *Collectors* to young *Maidens*, was the cause of them; They might at first be the pretence, and give occasion to put in execution what the *Leaders* and *Contrivers* of the intended general Insurrection of the *Villanes*, *Naïves*, *Bond-Tenants*, and *Clowns*, designed in the First of this King, the Demands and Practices of these Men being built upon the same foundation.

These

These Insurrections began first in *Kent* and *Essex*: In *Kent*, under the Leading of *Wat Tyler*; in *Essex*, under the Conduct of *Jack Straw*. The [2] Bulk of the People were *Villains*, *Bond-Tenants*, *Country Clowns*, such as were in Debt, and knew not how to satisfy their Creditors, and Criminals, who feared the Severity of the Law. The *Kentish* Rebels Rendezvoused upon *Blackheath*, to a vast number, on [3] Wednesday, June 12. Their Pretences were Liberty, changing the Evil Customs of the Nation, and cutting off the Heads of all the Lawyers great and small, and all that had any Offices in the Law, or Relation to it any way, where-ever they could find them; for that the Nation could not enjoy a true Liberty until they were killed. [4] The King sent to them to know the Reason of that Commotion, and the gathering together of such a Multitude. They told the Messengers they met to speak with the King about certain matters, and ordered them to go back, and let him know he must come to them, and hear what they desired. Some about the King persuaded him to go forthwith: The Arch-Bishop of *Canterbury*, *Simon de Sudbury* then Chancellor, and Sir *Robert Hales* Prior of *St. Johns* of *Jerusalem*, then Lord Treasurer, earnestly dissuaded him, moving him rather to think of suppressing, than going to speak with such a Rabble about Business. [5] Of which these rude People having notice, they threaten to cut off their Heads: And forthwith marching towards *London*, came to *Southwark*, where they pulled down [6] Houses, brake open the King's Prisons, and let forth the Prisoners, who joined with them. The Bridge-Gate was shut against them; but by the Assistance of their Friends in the City, and by their Menaces and Threatnings of the Citizens, if they had not free Passage into the City, the [7] Gates were opened, and they passed backwards and forwards into and out of the City as they pleased, giving out they came only to search for Traitors to the Kingdom; and at that time paid for what they called for, which got them Reputation with the low and ordinary Citizens, of whom a great many joined with them. Next Day, which was the Feast of *Corpus Christi*, or 13th of June, they marched through the City to the *Sawoy*, the Duke of *Lancaster's* House, whom they called Traitor, and hated above all Men: This [8] House they burnt and beat down, and destroyed all the rich Furniture, throwing his Gold and Jewels into the *Thames*, as likewise all his Plate, first breaking it into small pieces, and made it by Proclamation Capital for any one to retain any thing to his own use, that they might shew the People what they did was not out of Covetousness. [9] From hence they went to the Temple, then an Habitation for Lawyers; this they demolish, and burn all their Books and Papers, with the Records that were there kept. [1] From this Place they go to *Clerkenwell*, where they destroy all the Goods in the Hospital of *St. John*, and set fire on that Magnificent Building. [2] They now divided themselves into Three Bodies; one went to *Hebbery*, a Mannour belonging to the Hospital of *St. Johns* near London, where they were busy in destroying and plundering all the Goods belonging to it, and pulling down a Noble House that stood there. [3] A second Body of them, which were most of *Essex* and the Countries adjoining, lodged

They began in Kent & Essex, under the Conduct of Jack Straw. [2] Walf. f. 247. n. 45, 50. & f. 248. A. D. 1381. [3] Ib. n. & f. 249, 250, 251, 252, 253, &c. Their Pretences.

[4] Ib. n.

[5] Ib. n.

[6] Walf. c. 287. Their Practices.

[7] Ib. n. & Walf. n. supra.

[8] Ib. n.

[9] Ib. n.

[1] Ib. n.

[2] Ib. n.

[3] Ib. n.

lodged themselves upon *Mile-end-Green*; and the third about *St. Katherine's* and *Tower-hill*.

Next Day being *Friday*, and *June* 14th, [4] the *King* with several Noblemen went to *Mile-end-Green*, and telling them he was their *King*, asked those People (being about 60000) what they would have? They told him, *They desired he would make them free, themselves, their Heirs, and Lands*, and that they might not be called or reputed Bond-men. The *King* granted their Desire, on condition they would return home, and leave Two or Three only of every Parish or Town, to stay and bring with them their [5] *Charters of Freedom*, Sealed with the Great Seal, which should contain what they demanded. With this, and with mighty and most quick Dispatch, having received some of their Charters, they were satisfied, and went to their own Places and Countries.

At the very same time [6] the *Kentish-men*, and those with them, who placed themselves on the *Tower-hill* and about *St. Katherine's*, went into the *Tower*, the Gates being open without Resistance, though there were in it 600 Archers, and 600 other Armed Men, who were so terrified and astonished at the Number, Noise, and Practices of this vast Multitude, that they never regarded who went in, or who went out; from whence they took out the *Arch-Bishop of Canterbury*, *Lord Chancellor*, *Sir Robert Hales* *Lord Treasurer*, *John Leg*, one of the *King's Serjeants at Arms*, and a *Franciscan Friar*, and upon *Tower-hill* cut off their Heads. After this they went into the *City*, and cut off the [7] Heads of many *English* and *Flemings* there. They drew out of the *Church of the Augustin Friars* 13 *Flemings*, and out of other Churches 17 more, and cut off their Heads in the Streets (that being their only way of Murder) with mighty Shouts and Rejoicing.

Next Day, being the 15th of *June*, [8] they began to do as they had done the Day before, cut off many Heads, pull down and burn Houses. The *King* then sent to them to let them know their *Companions* at *Mile-end-Green*, upon their receiving Charters of Freedom, were separated, and gone home to live quietly, with offer to them of Charters according to the same Form, if they would accept them. [9] *Wat Tiler* their Great Leader replied, He would embrace Peace, if he liked the Conditions: Thinking this way to have delayed the *King* and *Council*, so as that Night he might have put his Design in execution; which was to kill the *King* and the Great Men that adhered to him; to have pillaged, plundered, and burnt the *City*, knowing all the poor People were with him. [1] There were three several Charters sent, but none pleased him. The *King* at last sent to him, that he would come and treat with him about the Articles he insisted upon to have inserted in the Charter; and when the Messenger desired him to make haste, he bid him if he were so much in haste, return to the *King*; he would come when he pleased. [2] When he came with his Multitude behind him into *Smithfield*, where the *King* was, he behaved himself with such intolerable Rudeness toward the *King* and those about him, and making such Demands as could not be granted; the *King* commanded *William Walworth* *Mayor of London* to Arrest him, who with great Courage struck him

[4] *Wals. c. 34. Wals. at supra.*

[5] *Append. n. 103.*

[6] *Fryf. & Wals. at supra.*

They cut off the Heads of the A. Bp. of Canterbury, Sir R. Hales, &c. [7] *Ibm.*

[8] *Ibm.*

[9] *Ibm.*

[1] *Ibm.*

[2] *Ibm.*

him a Blow on the Head, with which he sunk upon his Horse, and others of the *King's* Servants and Citizens thrust him thro' the Body in divers places, when he fell dead off his Horse almost under the *King's* Horse's Feet; [3] who finding his Followers much moved at their Captain's Death, left they should proceed to do further Mischief, rode up to them, with his Militia Men and Friends about him, and spake to them not to be troubled for the Death of such a Rogue and Traitor; telling them he was their *King*, and would be their Captain and Leader, bidding them follow him into the Fields, where they should have what they would ask. In the mean time, the *Mayor of London* got 1000 Men into Arms, and put *Sir Robert Knolls* at the Head of them, who marching into the Fields in good Order, so daunted the *Ruffic Rebels*, that they threw down such Arms as they had, laid themselves upon the Ground, and begged Pardon. [4] Whereupon Proclamation was immediately made in *London*, that the Citizens should have no Correspondency with them, nor permit any one of them to come into the *City*. The Military Men about the *King* ask him to permit them to serve the Rebels as they had served others, to cut off an Hundred or two of their Heads. He would not consent, lest the Innocent might suffer with the Guilty, many having been drawn in by Fear, and such fair Pretences, as they could not know but they might be Good and Loyal. And beyond this unknown Mercy, he sent them the Charter he had Granted to those of *Essex* and other Counties.

At the same time, and on the same Days, [5] the Tenants and Villains of the *Abby*, and the Townsfolk of *St. Albans*, with the Ruffics of the whole Shire of *Hertford*, and Counties near, assembled at *St. Albans*, requiring of the *Abbat* and *Convent* to be Manumitted and made Free; to have the Liberties of the Town enlarged, and to have the Charters and Grants of Privileges and Liberties to the *Abby* delivered to them: Which by the *King's* Order were so delivered, and were with great Triumph burnt in the Market-place. They also had from the *Abbat* and *Convent* Letters of *Manumission* and *Freedom* dictated by themselves, threatening if they would not grant such, to burn and demolish the *Abby*, cut off the Heads of the *Abbat* and all the Monks. And in the mean time, while they obtained these things, they cut off the Heads of such as they thought were their Enemies, or would not do as they did, burnt and pulled down their Houses, and destroyed their Goods, following and performing in all things the Dictates and Orders of their Great Master *Wat Tiler*, which they had received from him, and seen practised in *London* on *Corpus Christi* Day, many of these Villains and Ruffics and *St. Albans-men* being then there. *William Grynecobbe* a Servant to the *Abby*, and *William Cadyndon* a Chandler in the Town of *St. Albans*, being the chief Men in this Tumult, who had received their Instructions, as above, at *London*: They made, Proclamation for all of their own Condition to come in to them, with such Arms and Weapons as they had, under pain of losing their Heads, having their Houses burnt, if they had any of their own, and the loss of all their Goods found in them. These they caused to make Oath they would adhere to *King Richard*, and the True Commons of *England*. Where-ever they

Wat Tiler knocked down by the Mayor of London, and killed. [3] *Ibm.*

His Followers lay down Arms, and beg pardon. [4] *Ibm.*

The King's great Mercy to them.

[5] *Wals. c. 254, 255, 256, 257, &c.* The villainous Practices of those about *St. Albans*.

The chief Leaders of them.

[6] Ib. f. 259.
n. 40.

[7] Append.
n. 104.
[8] Ib. m.
They pretend
the King's
Order and
Authority for
what they
did.

[5] Wal. f. 261.
n. 30, 40, 50.
The same Tum-
ults and
Practices at
St. Edmunds-
Bury.
J. Straw and
R. Wylkyn
their Leaders.
They cut off
the Heads of
the Chief Ju-
stice of Eng-
land, the Pri-
or, &c.

[1] Ib. m. f. 263.
n. 10, 20, &c.
The like Peo-
ple and Pra-
ctices in Nor-
folk, under the
Conduct of
John Lutter a
Dyer;

Who stiled
himself King
of the Com-
mons, and had
his Royal Of-
ficers.

they came they brake open the Prisons, and set the Prisoners free.

[6] While they were in the height of these villanous Practices, they received news of the Death of Wat Tyler, and that the Citizens of London assisted the King against the Kentish and Essex-men that staid with them. This, and some sent from the King to make Proclamation, upon forfeiture of Life and Member commanding them to be quiet, and return to their own Homes, humbled and made them abstain from their most barbarous and outrageous Actions. Yet they kept together, and would not separate, tho' much persuaded to it, using their ordinary Practices against the Abbat-Monks, their Friends, Lawyers, Gentlemen, and all that would not do as they would have them. And for whatever they did, pretended the King's [7] Consent, Order, and Authority; which caused the King, to undeceive the People, to send his [8] Writs to all Sheriffs, Majors, Bailiffs, and others his Faithful People, to make Proclamation to the contrary, and to oppose them every where in their tumultuous Rifings and Actings against the Peace; commanding them to desist from such Assemblings, and go home. Dated at London June 17. in the 4th of his Reign.

At the same time, and on the same Days, as if Corpus Christi Day had been the Signal Day, [9] the same sort of People Tumultuated in Suffolk, under the Conduct of John Straw a wicked Priest, and Robert Westbrom of Edmonds-Bury, where they perpetrated the same Villanies, and committed the same Insolencies, as in other Places. They came to Bury, and got into their hands the Charters of Liberties and Grants of Privilege to the Abby there, to free, as they said, the Towns-men from the Power and Jurisdiction of that Place. They cut off the Heads of Sir John Cavendish Chief Justice of England, the Prior, and John de Lakynbeath a Monk of that Monastery, and set them on the Pillory in the Market-place.

In Norfolk [1] at the same time a vast Number of such People, under the Conduct of John Lutter a Dier of Norwich, took upon them the same Pretences, and were the very same in all their Actions. These compelled the Lord Scales, Sir William Morley, Sir John Brewes, Sir Stephen Hales, and Sir Robert de Salle, to remain with them, who seemed to do and allow what they did; except Sir Robert Salle, who publicly condemning and abhorring what they did, had his Brains beat out. The other were Lutter's Favourites, who now called himself King of the Commons, who had his Royal Officers, amongst whom Sir Stephen Hales was his Carver. These rebellious People, whether they were wearied with, or repented of what they wickedly had done, and considered what they must do, sent Two of the Knights, Sir William Morley and Sir John Brewes, with Three of their own, in whom they put most Confidence, to the King, where-ever he should be, to obtain a Charter of Manumission and Pardon, and that it might be more large than the Charters granted to other Counties. They had given them a great Sum of Money which had been received of the Citizens of Norwich, to preserve their City from Burning, Slaughter, and Plundering, that they might thereby obtain what they desired.

Henry

Henry Spencer [2] Bishop of Norwich being then in Rutlandshire, hearing of this Insurrection in Norfolk, was coming thither with eight Lances only, and a few Archers at Icklingham near Barton-Mills, he met with the Two Knights and their Three Companions going to the King, and upon strict enquiry finding out the Three Traitors, he presently caused their Heads to be cut off; and proceeded into Norfolk, where the Military Men and Gentlemen came to, and marched with him to North-Walsam, where the Rebels were encamped; he with the Force he had with him being the first Man that charged the Enemy, assaulted their Trenches, and obtained the Ditch. The Fight was sharp for a while, but the Rabble soon fled: In the pursuit many of them were killed. Lister and the Chief Movers of this Rebellion were taken, who were Drawn, Hanged, and Beheaded, with many others thro' the whole Country; by which means it was reduced into a peaceable Condition. [3] Knighton says this Martial Bishop did the samethings in Cambridge and Huntingdon-shires; if so, 'tis more than probable he also reduced those of Bury St. Edmonds, and the whole County of Suffolk, being part of his Diocese, into good Order.

The Countries where these Insurrections and Tumults were being now pretty quiet, Commissions of Oyer and Terminer were Issued for the Trials of the Chief Contrivers and Managers of them. [4] Those of London, and such of Kent, Essex, Suffex, Norfolk, and Suffolk, as were found within the Liberties of the City, were Tried before the Lord Major, of whom the Chief were John Straw, John Kyrkeby, Alan Treder, and John Starling, who Gloried that he Murdered the Arch-Bishop. These had their Heads cut off, and several others not named.

At St. Albans [5] William Gryndecobbe, William Cadyndon, and John the Barber, with 15 others, were Condemned, Drawn, and Hanged. Of the Chief Men of the Town were Imprisoned Richard Walyngford, John Garlek, William Berewill, Thomas Putor, and many other of the ordinary sort. Of the Country were imprisoned 80 Persons, who afterwards by the King's Mercy were set at liberty.

John Ball [6] also a Priest was taken at Coventry and brought to St. Albans, where he was adjudged to be Hanged, Drawn, and Quartered, and was executed on the 15th of July, having been some Days Reprieved by the Mediation of the Bishop of London. [7] This Man had Preached to please the People above Twenty Years. He made a Speech to the vast Multitude of Malefactors at Black-beath, and took for his Subject the Old Rime,

When Adam-Dalfe, and Eve Span,
Who was than a Gentleman?

From which he inferred, [8] That by Nature all Men were equal: That Servitude was introduced by the unjust Oppression of Wicked Men, against the Will of God; for if God had intended to have created Servants in the beginning of the World, he would have appointed who should have been Servants, and who Lords or Masters; advising them to consider, that then was the time given them by God, in which they might shake off the Yoke off Servitude if they would, and enjoy their long-desired Liberty. And to this end further

[2] Ib. m. 50.
f. 264. n. 10,
20, 30, 40.
Th. Consulit,
Curag, and
Bravery of H.
Spencer Bishop
of Norwich.

The chief
Movers of
this Rebellion
drawn, hang-
ed, and be-
headed.
[3] Col. 2639.
n. 10.

Commissions
of Oyer and
Terminar.
[4] Wal. f. 267
n. 10, 20, 30.
for the Trial
of the Rebels.
Those taken
in London tried
before the
Lord Major.
J. Straw and
others behead-
ed.

[5] Ib. m. f. 276.
n. 30, 40.
Gryndecobbe,
Cadyndon, John
the Barber, and
15 others
hanged at
St. Albans.

[6] Ib. f. 275,
276.
John Ball a
Priest hang'd,
drawn, and
quartered.
[7] Ib. f. 275.
n. 10, 20.
His Speech on
Black-beath to
the Malefac-
tors.

[8] Ib. n. 30,
40.
The Heads of
his Speech.

further advised them to be stout, and hasten to procure it; first, by killing all the Great Men of the Kingdom; then the Lawyers, Justices, and Jury-men; and lastly, to destroy all such as they knew would be injurious to them for the future: So as then they might acquire Peace and Security; and there would be equal Liberty, the same Nobility, the like Dignity, and the like Power amongst them.

[9] Ibm. f. 26. n. 20, 30, 40. John Straw's Speech and Confession at the time of his death.

This Speech, with the [9] Confession of John Straw at the time of his death, discovers the full Intention of these Riots, Rebellions, and Tumults. He said, that when they assembled at Black-beath, and sent to the King to come to them, their Purpose was to have slain all the Knights, Esquires, and Gentlemen that came with him; and to have carried the King with them from Place to Place, that the Rabble might with greater Boldness come to them, when they should see him, as it were, the Author of their Insurrections: That when there should have been great Numbers got together in all Countries, they were to have killed the Lords or Knights who were able to advise against, or resist them; especially the Hospitallers. At last they were to have killed the King, and all Bishops, Monks, Canons, and Rectors of Churches, that were Endowed, and had Lands and Possessions, sparing only the Friars Mendicants, who were sufficient to celebrate and perform Divine Rites thro' the whole Nation. These things done, when there had been none Greater, none more Potent, none more Knowing than themselves, they would have made such Laws as they pleased, by which the People were to be Governed. They intended also to have made Kings, as Wat Tyler in Kent, and in every other County One. On the Night also of that Day whereon Wat Tyler was killed, the poor Rabble being on their side, they intended to have burnt the City of London, and to have divided all the Rich Goods found there amongst themselves. This he affirmed to have been their Design, as he desired God would help him at his going out of the World; and then had his Head struck off. For their Good Service in destroying Wat Tyler, preserving the City, and giving him Assistance, the King knighted [1] William Walworth Major, John Philpot, Nicholas Brembre, and Robert Laund, Aldermen; and gave to Sir William Walworth 100 l. per Annum Land; and to the other 40 l. per Annum to them and their Heirs for ever: And not long after, knighted Nicholas Twisford and Adam Francis, Two other Aldermen.

W. Walworth, and other chief Citizens of London knighted. [1] Straw's Annals, p. 463.

[2] Wal. f. 278. n. 50. 279. lin. 4.

[3] Ibm. n. 30, 40.

A. Two Years Truce with the Scots.

A Quarrel between the D. of Lancaster & Earl of Northumberland.

[4] Rot. Claus. 5 Ric. II. M. 40. Dief.

A Parliament called.

[5] Ib. M. 39. Dief.

[6] Rot. Parl. 5 Ric. II. n. 1.

In the [2] time of these Insurrections and Rebellions, the Duke of Lancaster was in Scotland, where he concluded a Truce for Two Years, before they heard of the Tumults and Riots in England. [3] In his return, he was denied Entrance into Berwick by the Earl of Northumberland, which mightily incensed him against the Earl.

On the 16th of July [4] Writs were sent forth for a Parliament to meet at Westminster, on Monday after the Exaltation of Holy Cross, or 14th of September, which was afterwards Prorogued to the [5] morrow of All-Souls, which was Monday, when it was [6] Adjourned to the next Day, many Lords and Prelates being absent; and so unto Wednesday, when by reason of the Quarrel between the Duke of Lancaster and Earl of Northumberland, who came to the

the Parliament with great Force of Armed Men and Archers, the King caused the Parliament to be Adjourned unto Saturday, in which [7] time the King composed the Differences between them, and ended the Quarrel.

The Cause of Summons was [8] declared to be, That they might consider how to procure the Quiet and Peace of the Nation, and settle it after the late Tumults and Insurrections, to confirm or repeal the Revocation the King had made of the Grants of Liberty and Manumission by Force and Coercion obtained by the Nobles, Bond-Tenants, and Villains: That the King was much indebted, and in great Necessity for Money to maintain his Court and the Wars.

The whole Parliament, Lords and Commons, [9] declared the Grants of Liberties and Manumission, to Nobles, Villains, and Bond-Tenants, to be by Coercion in Disheritance of them, and Destruction of the Realm, and therefore to be null, and repealed by Authority of Parliament.

The Commons [1] prayed the King to have certain Prelates and Lords to commune with them about their Charge, for that the Matters very highly concerned the State of the Realm, and it was much to the Purpose to have their Advice.

The Answer [2] was, They should give in the Names to the King in Writing, of such as they desired, that he might advise about it. Which was done; and the King granted their Desire; (le Roy leur Grantast al Effect qils firent Demandes.)

And the Commons further * prayed the King, That the Prelates by themselves, the Great Lords Temporal by themselves, the Knights by themselves, the Justices by themselves, and all other Estates singly might be charged to treat and commune about their Charge, and that their Advice might be reported to the Commons. To which it was answered, That the King had charged the Lords and other Sages, to commune and treat diligently upon the said Matters: But the ancient Custom and Form of Parliament had always been, That the Commons should first report their Advice, upon the Matters given them, to the King and Lords of Parliament, and not on the contrary; and therefore the King would that the ancient and good Customs and Form of Parliament should be kept and observed.

After the Commons had conferred [3] with the Lords, they returned into the Parliament, and made great Complaint of the ill Government of the Realm, which if not amended, the Kingdom would be in short time ruined. They complained of the Government about the King's Person, his Court, the over-great Number of his Servants, of the Chaucery, Kings-Bench, Common-Pleas, Exchequer; of grievous Oppressions in the Country (par la Outrageuse Multitude de Bracciers, des Querelles, & Mainteneours, qi font come Roys en Pais, que Drois, ne Loy est a poy fait, &c.) by the great Multitude of Bracers of Quarrels, and Maintainers, who behaved themselves like Kings in the Country; so as there was very little of Law or Right, and of other things, which they said were the cause of the late Commotion, Rumor, and Mischief of the Land, and requested they might be amended.

The

They came to the Parliament with great Force of armed Men. [7] Wal. f. 280. n. 40, 50. The K. ends the Quarrel. [8] Rot. Parl. 5 Ric. II. n. 8. The cause of Summons.

[9] Ibm. n. 13. The Liberties and Manumissions of the Villains, &c. repealed by Authority of Parliament.

[1] Ibm. The Commons desire certain Prelates and Lords to treat with them.

The King [2] Ibm. n. 14. grants their Request.

* Ibm. n. 16. The Commons pray the King the Prelates by themselves,

the Great Lords by themselves, the Knights by themselves, and the Justices by themselves,

might treat about their Charge, and their Advice reported to them.

This was contrary to the Practice and Custom of Parliament,

which the K. would have observed.

[3] Ibm. n. 17. The Commons complain of the ill Government of the Kingdom,

[4] *Ibm* n. 18. Certain Lords and others assigned to survey and examine the Government of the King's Person and Kingdom. These Lords and others were assigned and chosen by the King. See n. 27.
[5] *Ibm*. The King's Confessor not to come to Court.
[6] *Ibm* n. 19, 20, 21, 22, 23. The Commons Petition the Duke of Lancaster, and others, assigned to appoint Officers, &c.
[7] *Ibm* n. 25, 26. They petition for an end of the War.

[8] *Ibm* n. 28, 29. They Petition certain Persons may inspect the Grievances above noted. No answer made to this.
[9] *Ibm* n. 30.

The Commons propound 3 sorts of Pardons to be granted by the King. The first.

[1] *Ibm*. The ad. fort.
[2] *Ibm* n. 32. Several Towns, excepted out of these Pardons.
[3] *Ibm* n. 33. And those that killed the A. Bp. &c.

The King [4] by Advice of the Lords and his Council, granted that certain Prelates, Lords, and others, should survey and examine the Government of his Person and Court, and to think of sufficient Remedies. The Persons chosen to make this Enquiry, were, The Duke of Lancaster, the Elect of Canterbury, the Arch-Bishop of York, the Bishops of Winchester, Ely, Exeter, and Rochester; the Earls of Arundel, Warwick, Stafford, Suffolk, and Salisbury; the Lords Zouch, Nevil, Grey of Ruthin, and Fitz-Walter; Monsieur Richard le Scrop, Monsieur Guy de Bryan, and others; & autres. [5] The King's Confessor was charged to abstain from coming to, and remaining at Court, by the Request of the Commons and Assent of the Lords.

The Commons [6] Petition the Duke of Lancaster, and others, assigned by the King to that purpose, to place the most valued Officers about the King's Person, and in his Court; to appoint a Chancellor, Barons, and Officers in the Exchequer, Judges of one Bench and the other; That they might know their Names, and what they were to do, and the Method they were to take in the Regulation of the Nation, after these things were done.

They also [7] Petition an End might be made of the War, which was in great part maintained by the Goods which the Enemies of the Nation took by Sea and Land from the English, to the great Slander of the Government and Nation, and Destruction of the whole Realm.

They likewise Petition, That certain of the Chief [8] Clerics in Chancery, certain Justices, Barons of the Exchequer, and others Learned in the Law not there named, might consult of the Grievances above; and that certain Merchants not named, might declare the Causes of the Low Prices of our Commodities, carrying over our Money, Wasting and Clipping thereof. But I find no report made of this Matter, or Remedy ordered: There is something in the Statutes at Large in this Year, about Exportation of Money, and the Exchequer, Cap. 2. & 9, 10, 11, 12, 13.

The Commons [9] brought into Parliament a Schedule, containing Three Articles for Three sorts of Pardons, if the King would please to grant them: The first was, for the Lords, Gentlemen, and others, that in Resistance of the Riotors and Traytors, caused some of them to be slain without due Process of Law; for which see the Statutes at Large of this Year, Cap. 5. The Statute there exactly agrees with the Record.

The second [1] to appease and quiet the wicked People concerning Treason and Felony committed in the Riots and Tumults, which was granted [2] to all and singular Persons, except such as were of the Towns of Canterbury, St. Edmunds-Bury, Beverly, Scharburgh, Bridgewater, and Cambridge; except also the Persons whose [3] Names were after written, and were brought into Parliament as the Chief and Principal Exciters and Movers of the Insurrections in the several Countries; and those that killed the Arch-Bishop of Canterbury, Lord Chancellor, the Prior of St. Johns Lord Treasurer, and John Cavendish Lord Chief Justice; and except such as had escaped out of Prison, and had not then rendered themselves: Provided,

vided, that such as received Damages and Losses by these Insurrections, should not by this Pardon be foreclosed from recovering Recompence by due course of Law.

The Third was, for [4] the good People that kept themselves in Peace, and were no ways consenting to, or concerned in the Tumults and Insurrections. The Forms of the Pardons were now drawn and read, tho the King had not yet passed them.

Afterwards, upon [5] the Petition of the Commons, That the Towns above-named might, with other Towns, receive the Benefit of the Pardon, except those Persons that were specially excepted, which the King except the Town of St. Edmunds-Bury, that for their outrageous [6] and horrible Wickedness, so long continued, he would not have comprised in his Grace; and except also the Persons whose Names were delivered into Parliament as the chief and principal Begunners, Abettors, and Procurers of the late Outrageous Treason.

After the Business of the Pardons, the Commons make a [7] Request of their Requests and Grievances they would have amended, and desire to have a view of what was done in that Matter.

The King tells them, [8] he had been at great Expence in quieting the Nation in the late Tumults, and otherwise, as was declared to them before by his Officers, and that he was to be at further great Expences by reason of the Queen's coming, her Marriage and Coronation, which were suddenly to be celebrated; also in guarding the Seas, and keeping his Fortresses beyond Sea, and for the defence of the Realm at home, for the discharge of which Debts, and the supply of his Expences, he had nothing in Treasure or otherwise.

The Commons [9] answered, That considering the Evil Hearts, and Rancour of the People thro the whole Realm, they neither dare nor would grant any manner of Tollage.

They desire the [1] Parliament may be adjourned till after Christmas, which was granted; and then they also desire again to see the Method of his Grace and Favour.

The King [2] replied, it was not the Custom of Parliament to have a General Pardon, and such favour from the King, when the Commons would not grant him any thing; and told them, he would advise of his Grace and Pardon until they should do what belonged to them; and said further, it was Customary to grant Pardons the last day of the Parliament, when he answered their Applications and Petitions in Writing.

Whereupon [3] the Commons came into Parliament before the Lords, saying they had advised, and considered the great Charge of the King as well here as beyond Sea; and then the Prelates, Lords, and Commons, granted a Subsidy of Wool, Leather, and Woolfells, until Candlemas next coming, as it was last granted, which

Provided notwithstanding, those which had received Damages might recover Recompence by Law.
[4] *Ib*. Rot. Parl. 5 Ric. II. n. 32. The Third sort of Pardons.
[5] *Ib*. n. 99. The Towns above all Pardons, except St. Edmunds-Bury.
[6] *Ibm*. Rot. And except the Persons whose Names were delivered into Parliament in Writing.
[7] *Ib*. n. 34. The Commons rehearse their Grievances.
[8] *Ibm*. & n. 35. The King tells them of his great Expences and Necessity.

[9] *Ib*. n. 36. They answer, they neither dare, or would grant any Tollage.
[1] *Ib*. n. 37, 38. They desire the Parliament may be adjourned, and to see the Method of his Grace and Favour.
[2] *Ib*. n. 39. The King advises of his General Pardon, until the Commons should do what belonged to them.
[3] *Ib*. n. 40. The Prelates, Lords, and Commons, grant the Subsidy of Wool.

The Commons much joyed at the King's Grace.
* Ib. n. 45.
The Practice of the Town of Cambridge against the University.
* Ib. n. 54.

which was read in Parlement, as also the Declaration of the King's Grace, at which the Commons were much joyed, and thanked the King most humbly and intirely for the same.

In this * Parlement there were great Complaints made of the Mayor, Bayliffs, and Comynalty of the Town of Cambridge, for their Evil Practices, as well out of the Town in the County, as in it, against the University, in the time of the late *Tumults*, as by the * Bill exhibited against them may appear, wherein it is set forth, That they went to Corpus Christi or Benedicte College, where they seized the Charters, Writings, Books and Records, broke down the Scholars Chambers, and took and carried away Goods and Chattels to a great value, (a grant value;) Also, That they compelled the Masters and Scholars under Pain of Death, and Deprivation of their Habitations, to renounce all manner of Franchises and Privileges granted to them by any King whatsoever, and submit to the Government of the Town for ever; Also, By threatening Death they caused the Masters and Scholars to enter into Bonds to pay them great Sums of Money, and forced them to give a General Acquittance and Release of all Actions Real and Personal; Also, That by threatening Death they compelled the Masters and Scholars to deliver to them their Charters and Privileges, which they burnt in the Market-Place, contrary to the King's Proclamation and Prohibition.

The King issued his * Writs, To John Masterman, the present Mayor, (who was then one of the * Burgesses for the Town in this Parlement) and Bayliffs, and to Edward Lystere, the late Mayor, and Bayliffs, when the Riot and Tumult was, to appear in Parlement, to acquit themselves if they could before him and his Council, reciting in his Writs most that they had done in prejudice of the Chancellor, Masters and Scholars of the University; They appeared, and were ordered to deliver up the Renunciation Bonds, and Release above-mentioned under the University Seals, which were cancelled in Parlement, and are entered upon the Roll. The Bill against them being then read in their presence in Parlement, they were asked what they had to say, why their Franchises and Privileges should not be taken into the King's Hands as forfeit; at that time they were not charged with any Crime, but, as they were told, were only to answer concerning their Franchise, which they did by * Counsel, and denied the Matter of Fact, and farther said, if any such things were done, they were done by the Traitors and Malefactors of the Counties of Essex, Hertfordshire, and Kent, which came to their Town in great numbers; but it appearing they were always present at these Wicked Practices, and that the Renunciation, Bond, and Releases of the University, were in their keeping, and that upon the King's Precept they would not deliver them, it was thought evidence enough that they were guilty of the whole; when they submitted themselves wholly to the King's Grace, to do what he pleased with their Franchise; some part whereof, by advice and assent of the Prelates and Lords, the King gave to the University, and the Residue be re-granted to the Town.

On the 13th of December, because [4] Christmas was near, and the time of the Queen's coming into England was also near, and for that her Marriage and Coronation were to be solemnized, (le Parlement soit ajourne par nostre seigneur le Roy de l'assent des Prelates, &c.) the King adjourned the Parlement by the assent of the Prelates, Lords, and Commons, unto the Friday next before

* Ib. n. 46.
* Ib. n. 48.

* Ib. n. 57.

Some of their Franchises granted to the University.

[4] Ib. n. 64.
The Parlement adjourned.

the Conversion of St. Paul; and did Will and Command, That the Pleas, Causes, and other Matters moved in that Parlement, and were undetermined, and all other things, with their dependences, should remain as they were, in the same condition, until the Friday above said.

At the meeting again [5] of the Parlement, there was a great Dispute about a Voyage Monsieur Despaince, the Duke of Lancaster, offered to make into Portugal, if the Kingdom would provide him 60000 l. to pay the Wages of 2000 Men at Arms, and 2000 Archers, for half a year. The Pretences or Reasons for this Voyage were, for the saving of such English as were then there, that he might recover his Right he had there; for the safe-guard of the Sea, and the Realm of England, (& si Dieu plest) and if God pleased, for the greater destruction of its Enemies; Offering also to repay this Sum in Three years, either in Money, or acceptable Service. Upon this Offer and Voyage the Lords had a long Debate, some approved his Reasons, others not, so as he obtained not what he desired.

Yet the [6] Lords and Commons, on the 25th of February, considering the Necessities of the King, and the multitude of his Enemies by Sea and Land, with the great Expences he must be at for the defence of the Kingdom, and resistance of such Enemies, granted on their Free-will to the King the Subsidy of Wool, Woollfells, and Leather, as he received it upon the last Grant, from that day until the Feast of St. John Baptist next coming, and from thence for Four years. Whether such Defence or Resistance should be by the Voyage of Monsieur de Lancaster into Spain, or any other manner whatever, with this expresse Protestation of the Commons, That it was not their intention to be obliged by any Words to Quarrel, Conquer, or have War with Spain particularly, any way whatsoever, but only for the Defence of the Kingdom, and Resistance of its Enemies, by the advice of the Lords, as it should seem best to them to ordain, (*par lewis des seigneurs del dit Roialme come meulx leur semblera a ordener*).

Between the summons and meeting of the next Parlement, * the Great Seal was taken from Richard le Scrop, who had received it by approbation of Parlement, because he would not pass some large Gifts of Estates, which had escheated to the Crown, to some Ambitious Knights and Esquires, inferior Servants to the King, and given to Robert Braybroke, * Bishop of London, on the Vigil of St. Matthew the Apostle, or 20th of September, by which action the King much disquieted the Great Men and Community of the Kingdom.

In the Sixth of the King a [7] Parlement was summoned to meet on Monday, Eight days after Michaelmas, and was adjourned until Wednesday by the King's Command, when the King and Lords met in the Painted Chamber, before whom the Names of the Knights, Citizens, and Burgesses, were called over; The Bishop of London, then Lord Chancellor, amongst others, declared the cause of Summons to be for the Defence of the Land against its Enemies, and to provide Means to make it.

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All things by the King's Command to remain as they were, until it met again.

[5] Ib. n. 66.
The Duke of Lancaster's Proposals of going into Spain, &c.

He obtained not what he desired.

[6] Ib. n. 67.

The King's Enemies many by Sea and Land.

The Subsidy of Wool, &c. granted for Four years.

The Commons protest against Quarrelling, &c. with Spain.

* Walsingham, f. 290. n. 20, 30, &c.

The Great Seal taken from Richard le Scrop.

* Cl. 6 Ric. II. M. 24. Dm. Which disquieted the Great Men.

[7] Rot. Parl. 6 Ric. II. n. 1, 2.

A Parlement: The Cause of Summons, the Defence of the Land, and to provide Means to make it.

[8] N. 9. 10. A further Declaration of the Cause of Summons. Two ways propounded to deal with the Enemies of the Kingdom.

The Bishop of Hereford, by the King's Order, made a [8] further Declaration of the cause of Summons, and propounded Two ways to deal with the Enemies of the Kingdom, one by making use of the Flemings, who offered their Service; and the other, to close with the *profer* of Monsieur Despaign or Duke of Lancaster, who offered to go into Spain for half a year with 2000 Men at Arms, and as many Archers, if he might have 43000 l. to pay them, for which he would oblige himself to repay either in Money or Service.

[9] Ib. n. 14. The Commons desire such Lords as they named to Confer with them about their Charge.

These Matters being of so high a Nature, [9] the Commons make their Request to the Lords, to have such as they named to Commune with them about their Charge; which Request was granted, and the Lords Names entered upon the Roll.

[1] Ib. n. 15. A Fifteenth and Tenth granted.

The Lords and Commons [1] upon Conference, granted a Fifteenth and Tenth, by reason of the great danger the Nation was in, for the Defence of it against the great Preparations of the French, to be employed as the King, by Advice of his Council, and the Lords of the Realm, should think fit.

[2] Ib. n. 23. The Lords inclinable to the Duke of Lancaster's Proposal.

After this the [2] Duke of Lancaster's *Profer* came again into Consideration, upon which the Question was put to every particular Prelate, Earl, Baron, and Baneret, whether they thought his Voyage into Spain, with the number of Soldiers propounded, would be profitable to the King and Realm, or not; They thought it might be so, only believing the Force too small to make War with so strong a Kingdom.

[3] Mazaray, A. D. 1381, 1382. great Riots and Tumults in France and Flanders. The King of France subdued a great part of Flanders.

At this time [3] there were great Riots, Tumults, and Rebellions in France and Flanders; The Flemings had driven their Earl out of his Country, he applies himself to the King of France, as his Sovereign Lord, for Relief; They crave Assistance of the King of England. The King of France marched into Flanders, and subdued a great part of the Country; The Earl besieged Gaunt, which was the Head of the Rebellion, and in danger to be taken.

[4] Rot. Clause 6 Ric. II. Part 1. M. 4. Def. King Richard offers to go in Person with an Army into France.

To prevent the King of France his further Progress in Flanders, his Designs against England, and his Preparations to besiege Calais, as he had been informed, [4] as it is said in the Writ of Summons to another Parlement this year, to be held on Monday in the third week of Lent, was the chief cause of calling it. And the Bishop of London, Lord Chancellor, declared further, the King had offered to go in Person into France with a Royal Army, but since that he received news the French had over-run all Flanders except Gaunt, and therefore this Parlement was [5] called for Advice, whether the King should go in Person to the Relief of Gaunt and Recovery of Flanders, and how to provide where-withall for the Performance.

[5] Rot. Parl. 6 Ric. II. Part 2. n. 2, 3.

After the Commons had advised two or three days (*sur leur charge*) upon their Charge, it being so great, and so highly concerned

cerned his Person, they [6] prayed the King, to grant certain Prelates, Earls, and Lords named by them, to Treat with them about it, viz. The Arch-Bishop of Canterbury, the Bishops of Ely and Hereford, the Earls of Cambridge, Stafford, and Northumberland, the Lords Nevill, Fitz-Walter, and Cobham; The which Prelates, Earls, and Lords, the King granted to Treat with the Commons, ([7] *combien que feust, est & doit estre, en le Election de nostre dit seigneur le Roy d'assigner a ce les ditz Prelates & Seigneurs issint nommez ou autres a sa propre nomination*) altho it was, is, and ought to be in the Election of the King to assign the Prelates and Lords for this purpose, or others of his own proper Nomination.

When the Commons had [8] Treated long with the Prelates and Lords, they by James Pickering, their Speaker, said, The King's Passage, and the Ordaining of his Voyage, or any other great Voyage, belonged not to them, but to the King himself and Lords, yet [9] by way of Advice, and not by Counsell, seeing what Troubles were in every part of the Land, and that the Accord and Truce with the Scots were near at an end, and they were raising great Force toward the Borders, and it being doubtful, whether they would now comply with any Proposals of Peace or Truce, unless driven to it, they thought neither himself, nor any of his Three Uncles, of Lancaster, Cambridge, or Buckingham, could be spared out of the Kingdom, until that, and the Borders aforesaid, were well quieted and settled.

But advised him to accept of the Bishop of Norwich his [1] proffer of raising 3000 Men at Arms, and 3000 Archers well mounted, to Relieve Gaunt, Reduce Flanders, and afterward to War in France, upon condition he might have the Fifteenth and Tenth granted by the Layety and Clergy, and the 2 s. per Tun upon Wine, and Sixpence in the Pound upon Goods, for the Guard of the Sea.

The [2] Commons pray the King, That for his Honour and Profit, and the Quiet and Comfort of themselves, of his great Grace he would please to Command, that certain Lords might be assigned to be about his Person, of the most Wise, Honest, and Discreet Persons of the Kingdom, to advise and counsel him; and further, That he would please by advice of the Lords, so to order his Household, that he might live upon the Revenues of his Realm, and that the Subsidy of Wooll, Money arising from Wards, Marriages, and Escheates, might be employed to support the War, &c.

The King [3] answered, That he would take such sufficient Persons, Lords and others, about his Person, as seemed to him most for his Honour and Profit; and as to the Government of his House, it should be done by the Advice of the Lords and others of his Council, in such good order as should seem best, saving his Honour.

[6] Ib. n. 8. The Commons pray some Lords named by them to Treat with them.

[7] Ib. m. The King granted their Prayer, tho it was in his choice to assign them, or name others.

[8] Ib. n. 9. The Commons say, the ordering of the King's Voyage belongs not to them.

[9] Ib. n. 10. But they say, neither he nor any of his Three Unclesought to leave the Kingdom at that time.

[1] Ib. n. 11. They advise the King to accept the Bishop of Norwich his offer for the Relief of Flanders.

[2] Ib. n. 19. They pray the King certain Lords might be assigned to be about his Person to advise him, &c.

[3] Ib. m. The King's Answer.

[4] *Ib.* n. 20.
The Bishop of
Norwich his
ad Offer.
Accepted by
the King and
his Council,
and approved
by the Com-
mons.

[5] *Ibm.*

[6] *Walf. f.*
291. n. 30. 40.
The Bishop
of Norwich
had Bulls from
Pope Urban
for a Croysado,
against the
Anti-Pope
Clement.

[7] *Knigliton*,
col. 2671. n.
20, 30, &c.
The Ladies
give their
Jewels, Neck-
laces, Rings,
&c. toward
this Croysado.

[8] *Ibm.*
to be pardon-
ed and absol-
ved from their
Sins.

[9] *Append.*
n. 105.
The Form of
the Absolu-
on.

The Bishop of Norwich [4] having had time to consider of his first Profer, makes a second. To serve the King one Year with 2500 Men at Arms, and 2500 Archers well Arrayed and Mounted, for the whole Fifteenth granted by the Laity; of which Number, 1000 Men at Arms, and 1000 Archers, should be ready to pass the Sea for the Relief of Gant and the Country of Flanders, within 20 Days after the first Payment; and that he would take upon him to pay the Charge of Shipping, and other Charges. [5] This Profer was accepted by the King and his Council, and much approved of by the Commons.

This Bishop some time before had received [6] Bulls from Pope Urban for a Croysado, and to sign all with the Crofs that would go with him into France for the Destruction of the Anti-Pope, who called himself Clement; and to Sanctifie the War against all his Adherents; which were the [7] French, Scots, Flemings, and many other Nations. By virtue of these Bulls, he collected a great Sum of Money, besides Jewels, Necklaces, Rings, Dishes, Spoons, and other Silver Implements, especially of Ladies and other Women: And many gave [8] beyond their Ability (as it was believed) to obtain the Benefit of Absolution and Pardon for their Sins: For otherwise they were not absolved, unless they contributed according to their Ability. Many found Men at Arms, others Archers, and many went in their own Persons. The Form of Absolution was this:

By Apostolic Authority to me committed, [9] I do Absolve thee A. B. from all thy Sins which thou dost with a contrite Heart confess, or would confess if thou didst remember them; and give thee a Full Remission of them, the Retribution of the Just; and do promise the Increase or Addition of eternal Salvation. And I Grant to thee the same Privileges that are Granted to such as go to the Defence of the Holy Land; and do impart to thee the Benefit of the Prayers and Suffrages of the Holy Catholic Church.

To publish this Croysado, and to absolve according to this Form, there were a sufficient number of Preachers sent beyond Sea, and all England over, besides all the Mendicant Friars, to stir up the People to contribute, with a Cleric to take the Names, and receive Money of the Contributors, not omitting Labourers. *Knigliton*, Col. 2673.

Toward the latter end of [1] May, the Bishop passed the Sea with his Army, staid a few Days at Calais, besieged Gravelin, and took it by Assault. Dunkirk yielded without much trouble, where some Flemings joining with the French and Britans, to the number of 30000, came toward the Town; [2] against whom the Bishop, tho' but with a small Number in respect of theirs, marched out of Dunkirk and gave them Battel, taking many, and killing 3000; *Walsingham* says 12000. Afterwards he took in *Cassal*, *Dixmude*, *Burburgh*, *Fern*, *Newport*, and *Popering*. Then he besieged the [3] Town of *Tyre* a long time, assaulted it often, and was always repulsed and beaten off; and at length, without his Knowledge, the Army left the Siege, and revolted from him. The Battering Engines were all left behind, with one great Gun called *Cantebury-Gun* [4] (*cum una magna Gunna vocata Gunna Cantuariensis*.)

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The Bishop followed his Army, and went to Dunkirk, with Sir Hugh Caverse and part of it, and from thence to Gravelin. Sir Thomas Trivet, Sir William Elingham, and others, went to Burburgh with other part of the Army, and fortified it. [5] The King of France comes suddenly upon them with a great Army, besieged the Town, assaults it, and was beaten off with loss: Yet within few Days they treated, and yielded the Town to the King of France, upon Condition to march away with Horse and Arms, and all their Goods; and so they did to Calais.

After [6] Burburgh was taken, the French Army marched before Gravelin, and summoned the Bishop to yield the Town. The French offered him 15000 Marks to quit the Town, with liberty to demolish it, and to depart and go whither he would, and all with him, with all their Goods. He desired Time to consider of the Terms, and appointed a Day to give his Answer; and in the meant time sent to England for Relief, which not coming at or before that Day, he accepted the Terms, levelled the Town to the ground, and came for England after Michaelmas. And thus ended the Croysado, or the Pontifical War.

Before the Return of the Bishop of Norwich, Writs Dated the 20th of August had been [7] sent forth for a Parlement to meet on Monday before All-Saints. In which Writs, notice was given, That by Advice and Assent of the Council the Parlement was called, for their Mediation and Assistance in a Treaty of Peace to be had then, between the King, his Kingdom, Dominions and Subjects on the one part, and Robert King of Scotland, his Lands, Dominions, and Subjects on the other part; and for other Difficult and Urgent Business which concerned him, the State and Defence of the Kingdom, and Church of England.

Sir Michael de la Pole then Chancellor, [8] shewed the Causes of Parlement to be, for that the Truce with the Scots was to end at Candlemas next; and whereas the Duke of Lancaster had been sent to renew it, he was returned, and brought back, That the Scots would send Commissioners to London, to manage the Treaty about it.

Another Cause was [9] to provide against Three Powerful Enemies, Spain, France, and lately Flanders: And here he offered several Reasons to prove it was better for us to begin and make War upon them, than they upon us, or suffer them to invade us: Further shewing, That these Wars were not to be imputed to the King, seeing that with the Crown they descended to him.

And the last Cause was [1] for the Maintenance of good Laws, and Security of the Peace, when he put them in mind of giving Aid to support these great Charges.

When the Duke of Lancaster [2] was sent to Renew the Truce with Scotland, it was agreed, That for the Ease of both Nations, and to save Charges, there should be sent Commissioners of both Nations to every Parlement of either Nation, who should represent the Injuries done to each other upon the Borders, and receive Satisfaction according to the Judgment of the Lords. The Scots sent not to this Parlement, but did much Injury upon the Borders, and received a Force from France, to join with them against the English: But hearing there were Preparations making against them toward, or just after the end of the Parlement, they sent their

[5] *Ibm.* n.
10, 20, 30.
The King of
France takes
Burburgh,

[6] *Walf. f.*
304. n. 50. &c.
f. 305. n. 10,
20, 30.
and Gravelin.

[7] *Claufr.* 7
Ric. II. M. 37.
Durf.
A. D. 1384.
A Parlement
called.
The Reasons
of calling it
given in the
Writ of Sum-
mons.

[8] *Rat. Parl.*
2. *Ric. II.* n. 3.
The same and
other Causes
of Summons
declared by
the Chancel-
lor.

[9] *Ib.* n. 4, 5

[1] *Ib.* n. 6.

[2] *Walf. f.*
309. n. 20,
30, 40.
Commission-
ers to be sent
to the Parle-
ment of Scot-
land from
England, and
the same from
Scotland to
English Parle-
ments.
The Scots
kept not this
Agreement.

[1] *Walf. f.*
298. n. 30, 40.
The Bishop
passeth be-
yond Sea
with his Ar-
my.

[2] *Ibm.* f.
301. lin. 11.
Knigliton. ut
supra. n. 50, 60.
His great
Success.
He besieged
Tyre.

[3] *Knigliton*. *Ib.*
his Army
left the Siege,
and revolted
from him.

[4] *Ibm.* col.
2672. lin. 3.

their Commissioners, who were rejected, and sent home without Treaty.

The Chancellor [3] spake to the Lords a second time, and told them, The King commanded them to have due Consideration of the necessary Matters that had been declared to them, and of the apparent importable Mischief, and of the great Necessity he had for Money to prevent them: And that they would Treat by themselves diligently upon these things with as much speed as might be, laying aside the Debate of any other Matter in the mean time, and to report their Advice from time to time to him: And said further, the King commanded them to treat from Day to Day, and dispatch what they came for, and not to depart from Parliament without his special Licence, under the Peril that might happen.

And then [4] the Lords and Commons considering the outrageous Charge the King was to be at, by reason of the War on every side then open, granted two half Fifteenths, upon Condition the Clergy would contribute and grant as became them.

In this Parlemt [5] the Bishop of Norwich was accused by the Chancellor in several Articles, for his Miscarriages in his late Expedition: One was, That he had promised to serve the King with such a Number of Men for a whole Year, and served but half a Year; and then returned with his Army ruined, &c. Of which Article he could not clear himself; [6] and therefore was adjudged to make Fine and Ransom at the King's Pleasure, and the Temporalities of his Bishoprick to be seized for that Purpose.

Sir William Ellingham, Sir Thomas Trivet, Sir Henry de Ferrers, and Sir William de Harnedon, were accused in Parlemt before the Lords, [7] for receiving Money for the Delivery of several Forrester, the Sums in the whole amounting to 20000 Frankes in Gold. They all made pitiful Excuses, and craved the King's Mercy. [8] Judgment was pronounced by the Chancellor, That they should refund what they had received to the King, and remain in Prison until they had made Fine and Ransom to him.

Before [9] Christmas, the Duke of Lancaster went into France to Treat of Peace between the Two Kingdoms; but brought back with him a Truce only until Midsummer next following, when he was to return again upon the same Errand.

In the beginning of February, [10] John Northampton alias Conberton, who had been Major the Year before, moved Sedition in the City of London, and went up and down the Streets often with great Numbers of People following him; and when the present Major Sir Nicholas Brembre prepared to oppose him, a Shoemaker, one of his Favourers, moved the Rabble to stand by him; who by the Advice of Sir Robert Knolles, was taken out of his House, and had his Head cut off. Which Act stayed the Infurrection and Commotion of People at that time, who, as it was then said, had conspired to Murder the Major and many other worthy Men of the City.

This

[3] Rot. Parl. 7 Ric. II. n. 11. The Chancellor quickens the Lords to dispatch the King's Business, &c. Laying aside other Debates.

[4] Ibm. n. 12, 13. The Lords and Commons grant 2 half 15ths.

[5] Ibm. n. 18. The Bishop of Norwich accused by the Chancellor. His Crime and Punishment.

[6] Ibm. n. 23.

4 Knights accused for selling Forrester.

[7] Ibm. n. 24.

[8] Ibm. n. 25. The Judgment against them.

[9] Wals. f. 308. n. 10.

A Truce with the French for half a year.

[10] Ibm. n. 20, 30. Sedition moved in the City of London. A Shoemaker the great Promoter of it. How it was stayed.

This Shoemaker's Name was John Constantyn, who was the Cause of great Disturbances, Commotions, and Infurrections in the City; who was not drawn out of his House, and presently beheaded by the Advice of Sir Robert Knolles, tho' very probably he might be the Person that did seize, or ordered him to be seized; [2] but was taken on the 11th of February at the Head of the Rabble, and carried presently to the Guild-Hall, and arraigned as one of the first Movers of Sedition, by Witnesses sworn and examined, and his own Confession, was adjudged to Death, and had his Head cut off; which Judgment was presently Recorded, and was afterward confirmed by the King, [3] on the 9th of February preceding. John Northampton was sent to Corfe-Castle, there to be kept Prisoner until the King, by Advice of his Council, should otherwise dispose of him.

In Lent the Duke of Lancaster, [4] and his Brother the Earl of Buckingham, went with a very great Force towards Scotland, of Knights, Esquires, and Archers; but staid so long upon the Borders, as all the Victuals were consumed, whereby the Inhabitants received more Injury than by the Invasion of the Scots. Toward Easter he entered Scotland, where by his Delays the Scots had time enough to secure their Goods and Persons; and finding nothing but Hunger and Cold, returned with a hard Report, having lost many Men and Horses. After their Departure, the Scots invaded the North Parts, plundered the Country, and burnt Towns, as the English had done in Scotland.

This Year [5] there was another Parlemt holden at Salisbury, on the Friday after St. Mark, or 25th of April. In this Parlemt, says Walsingham, Fol. 309. n. 20, 30, 40, 50. a Carmelite Friar accused the Duke of Lancaster, that he designed to kill the King and usurp the Kingdom. The Duke desired he might be secured until he made good the Accusation against him; and was so: But the Night before the Day on which he was to do it, he was most barbarously murdered. Tho' he says he was accused in Parlemt, yet as he relates the Story, it was before the Council; and must be so; for there is nothing of this Accusation on the Parlemt-Roll.

About the [6] beginning of August, the Duke of Lancaster went into France to Treat about a Peace, or Truce. He staid there long with many Noblemen, and made a Truce only to the first of May next coming; and then returned, after the Expence of 50000 Marks.

While the * Duke was in France, the King called many of the Noblemen together at Reding, where John of Northampton was Tried for his late Practices in London, when he was Convoited by the Testimony of his Clerc; and Sentence was to be given upon him in the King's Presence. He said such Judgment ought not to pass upon him in the Absence of his Lord the Duke; which brought ill Suspicions upon him. The Judge told him, That he was to acquit himself by Duel of the Crimes laid against him, or by the Laws of the Land to be Drawn, Hanged, and Quartered. To which making no Answer, he was condemned to perpetual Prison above 100 Miles from London, and sent to Tintagel-Castle in Cornwall, and the Goods to be seized to his King's Use.

[2] Par. 7 Ric. II. M. 16. p. 2.

[3] Claus. 7 Ric. II. M. 9.

[4] Wals. f. 308. n. 40, 50. & f. 309. The Duke of Lancaster marched with a great Force into Scotland.

Returns with a hard Report.

[5] Rot. Claus. 7 Ric. II. M. 10. Duri.

A. D. 1385.

A Parlemt at Salisbury.

The Duke of Lancaster accused of Treason by a Friar.

The Friar murdered before he came to make good his Information.

[6] Wals. f. 310. n. 30.

A. D. 1385.

8 Ric. II.

The Duke of Lancaster goes into France;

makes only a Truce for 3 quarters of a year.

His extravagant Expences.

Ibm. 40, 50.

John of Northampton's Trial and Judgment.

Some

* Ibm. f. 314. n. 50.
The Duke of Lancaster was to have been Arraigned of High-Treason.

[7] *Ret. Parl.* 8 Ric II. n. 1, 2, 3.
A Parlement.
The cause of Summons.

[8] Ibm. n. 10.
Two 15ths granted.

[9] Ibm. n. 13.
The Judgment against Alice Perrers repealed.

[1] Ibm. Ro.

[2] *Knight col.* 2674. n. 60.
The French and Scots join to invade England.

[3] Ibm. col. 2675. n. 10.
The King marcheth into Scotland with a great Army.

[4] Ib. n. 20, 26, 40.
The Scots fly into the Woods and High-lands.

Some time after, the King * intending to Arraign the Duke of Lancaster upon several Articles of Treason before Sir Robert Trifflin Lord Chief Justice, whereas he ought to have been Tried by his Peers; he Victualled and Manned his Castle of Pontfract, and stood upon his Guard, until his Peace was made by the Princess of Wales his Mother.

On the [7] morrow of St. Martin, or 12th of November, a Parlement assembled at Westminster. The Chancellor shewed the King's great Care of the Church, Commons, and Laws of England; and further shewed how the Nation was invironed with Enemies, the French, Spaniards, Scots, and Flemings; and that the chief cause of calling the Parlement was, to provide for the Safety and Defence of the Kingdom; and to consider how this Provision might best and most speedily be made, and so as the poor People might be least burthened; and withal let them know the King offered to go in his own Person for Defence of the Kingdom, against any Enemy, by the Advice of his Council.

These things considered, [8] the Lords and Commons granted the King, for the Defence of the Kingdom, the Safeguard of the Sea and Marches of Scotland, Two Fifteenth; one to be paid at Lady-Day next coming, the other at Midsummer; upon condition, that the last half Fifteenth granted at Salisbury might not be paid: And in case the King went not in his own Person against his Enemies, or that Peace or Truce should be made with them, then the latter of these Two Fifteenth not to be Levied.

In this Parlement [9] Alice Perrers, the Wife of Sir William Windsor, petitioned to have the Judgment and Order made against her in the 50th of Edward III. and the Judgment and Statute made against her in the first of this King, to be repealed; and that the might be restored to all her Lands and Tenements. [1] Which was granted by Advice and Assent of the Lords and Commons, so as the Gifts and Grants of any of the Lands, Tenements, and Houses repealed, may remain in force.

There is nothing more concerning Scotland and England in our Historians for this Year, but alternate Invasions, as they found or made Opportunities, and burning and plundering each others Countries.

Next Year [2] John de Vienna Admiral of France, came from thence with a great Fleet, and in June transported an Army into Scotland to join with the Scots to invade England. The King prepares an Army to march into Scotland, and sends the Duke of Lancaster with a good Force before to secure the Borders.

[3] On the 7th of July, the King was at Leicester, and the Queen with him; and there went before, came with, and followed him the Flower of the English Militia, Earls, Barons, Knights, Esquires, Valets, and others to a vast Number. With this Royal Army the King marched into Scotland; but could not find the Scots, or at least could not follow them into the Woods, Forests, Fastnesses, or the High-lands, whither they drove with them their great Cattel. [4] Finding nothing in the Country, he burnt Edinburgh, and many other Towns, cut down Woods, and burnt them likewise. While these things were doing by the English toward the High-lands, about Edinburgh, and in the

East-

East-Marches, the Scots and French slipt the English, entred the West-Marches, burnt Penrith, plundered the Country, took many Captives, and made an Attempt upon Carlisle; but hearing of the coming of the English, got again into their own Country, [5] carrying more out of England, than the King with his Royal Army carried out of Scotland.

A While the English Army was in Scotland, the King of France was providing a mighty Fleet and Army at Sluis in Flanders to invade England. Froysart [6] says this Navy was Twelve hundred and eighty seven Ships in September, 1386. at Sluis and Blanqueberg; and adds, since God created the World there was never seen so many great Ships together. The Land-Forces were according to this mighty Fleet, and the King having notice of these vast Preparations, provided accordingly both by Sea and Land, to intercept them or hinder their Descent. [7] The Wind held contrary, so as they could not pass toward England until after St. Andrew, or 30th of November, when a Council being called it was resolved, it being so late in the Year, the Expedition was laid aside until April or May following. [8] Froysart says he had an Account of the great Provision the Dauphin of Auvergne made for this Voyage from himself.

C In the 9th of this King, a Parlement was [9] holden at Westminster on the Friday next after St. Luke, in which the Lords, Great Men, and the Communities of Counties, Cities, and Burghs [1] (Memorandum quod Domini, Magnates, ac Communitates Comitatum, Civitatum & Burgorum concesserunt Domino Regi, &c.) granted to the King for the Voyage of John King of Castile and Leon Duke of Lancaster into Spain, and safe keeping of the Sea and Marches of Scotland, a Tenth and Fifteenth, and half a Tenth and Fifteenth; the 10th and 15th to be paid at Candlemas, and the half 10th and 15th to be paid at Midsummer; for the receipt and expending whereof, there were special Treasurers appointed in Parlement, and Supravisors to see it done. And this [2] Voyage into Spain was agreed and granted by the King, Prelates, Noblemen, Great Men, and Communities aforesaid in full Parlement.

E In the King's Entrance into [3] Scotland, the King conferred several Honours upon the Persons following, at Hounslow-Lodge in Trivale, says the Record, which were confirmed in this Parlement.

The King's Uncle [4] Edmond Earl of Cambridge being created Duke of York, was confirmed in that Title, and had from the King 1000 l. a Year to support his Dignity, to be paid out of the Exchequer to him and his Heirs Male, until the King could settle Lands upon him and his Heirs of the like Value.

F Then also was [5] Thomas Earl of Buckingham and Essex the King's Uncle, being created Duke of Gloucester, confirmed in that Title, with the like Gift and Settlement to support his Dignity.

Michael de la Pole [6] being created Earl of Suffolk, was confirmed in that Dignity, and had for the support of his Honour 20 l. a Year out of the Farm of the County, and 500 l. a Year out of the Estate of the former Earl (which had escheated to the King for want of Heirs) after the Decease of the Queen and Isabelle Countess of Suffolk.

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The

The French and Scots march into England, [5] *Walf. f.* 317. n. 30. and do more mischief there than the King with his Army did in Scotland. A mighty Fleet prepared by [6] *Vol. 2. cap.* 53, 54. the King of France to invade England.

[7] Ibm. c. 59.

[8] Ib. c. 60.

[9] *Claufr. 9 Ric. II. M.* 45 *Dors.* A. D. 1386. [1] *Ret. Parl.* 9 Ric II. n. 10. A Tax granted for the Duke of Lancaster's Voyage into Spain.

[2] Ibm.

[3] *Knighton,* col. 2675. n. 50.

[4] *Ret. Parl.* 9 Ric. II. n. 14. Several Titles and Honours confirmed in Parlement.

[5] Ibm. n. 15.

[6] Ibm. n. 16.

[7] Ib. n. 17.

The Earl of [7] Oxford being created *Marques* of Dublin, was confirmed in that Title, by *consent* of the Prelates, Lords, and Commons, and had by the *same consent*, the Land and Lordship of Ireland, &c. except some *Royalities* belonging to the Crown, paying 5000 Marks yearly into the Exchequer.

[8] Ib. n. 32. The Commons Petition the King's Household might be viewed every year, and if need were Regulated.

[9] Ib. Rn. The King's Answer.

[1] Ib. n. 33.

In this Parliament the [8] Commons Petition the King, That the State of his Household might be viewed every year, by the Chancellor, Treasurer, and Clerk of the Privy Seal, and what was amiss to be mended at their Discretion; And also, That the Statutes of ancient time made concerning the Household, might be kept and duly executed in all their Points.

As to the first Article of the [9] Petition, The King will do it when he please; As to the second, *Le Roy le Voet*, The King Willerth.

It was also then Enacted, [1] That all Lords and other Persons, having any Lands on the Marches beyond Time, do dwell thereupon, saving that the King may shew favour when he please.

[2] Ib. n. 39.

The Commons desired to know, [2] who should be the King's Chief Officers, and Governors of the State of the Kingdom.

[5] Ib. Rn.

The Answer [3] was, The King hath enough sufficient Officers at present, and will change them at his pleasure.

[5] Knighton, col. 2676. n. 30. 40. 50. 60. A. D. 1387. The Duke of Lancaster's [6] Item. Voyage into Spain, and what he did there.

[7] Ib. col. 2677. n. 10, 20.

On Easter [5] Day next following, the Duke of Lancaster, with his Wife, came to take his Leave of the King, to whom he gave a Crown of Gold, and the Queen gave another to his Wife, and the King commanded all about him, to call and Honour him as King of Spain. [6] On the 9th of July, all things being prepared for the Expedition, he set sail with 20000 Men for Spain, whereof in the Marshall's Roll 2000 were Men at Arms, and 8000 Archers, in which Army several very great Men were the Chief Officers. [7] He had with him his Wife Constance, the Eldest Daughter of Peter King of Castile, &c. for his Tyrannies called the Cruel, who died without Issue Male, by whom he claimed that Kingdom, and Katherin his only Daughter by her, and Two Daughters by his first Wife Blanch, Daughter and Heiress to Henry Duke of Lancaster, Philip, and Elizabeth. Peter King of Castile was Son of Alphonso the Sixth, King of Castile, &c. upon whom Henry II. a Bastard Son of Alphonso, usurped the Kingdom. He Married his Daughter Philip, by his first Wife Blanch, to the King of Portugal; and his Daughter Katherin, the true Heiress of the Kingdom of Castile, by his Wife Constance, to John the Son of Henry the Bastard and Usurper, [8] but so as if they had no Issue, the Inheritance of the Crown was to be and remain to the Son of Edmund Duke of York, Brother to the Duke of Lancaster, who had Married Isabel the Younger Daughter of King Peter the Cruel. Upon these Terms, and a mighty Sum of Money paid by Henry the Bastard to the Duke, and an Annuity of 10000 l. a year to him and his Dutches Constance for their Lives, a Peace was concluded between the Usurper and the Duke, and the Affair of Castile or Spain settled; after which he went into Aquitan, and stayed there and in Spain more then Two years, and then returned into England in the beginning of November 1389. Knighton [9] says, the Money paid down to the Duke of Lancaster, was an immense Sum, and that he was told by one of his Family and

[8] Walsingham. f. 342. n. 30, 40.

[9] U. supra.

Retinue

Retinue in this Voyage, that for the second Payment the King of Spain sent him Forty seven Males laden with Gold in Chests. [1] As he failed into Spain, he landed some Forces in Britany, and relieved Breff, that was then besieged by the Duke of that Country.

This year Writs were issued for calling a Parlement on the first of October at Westminster, dated [2] Aug. 8. wherein Michael de la Pole Earl of Suffolk, and then Chancellor of England, was impeached by the Commons in several Articles; [3] The first and chief Article was, That he was Sworn as Chancellor to procure the Profit of the King, That he purchased of the King Land, Rents, and Tenements to a great value, contrary to his Oath, not considering the Necessity of the King and Kingdom, and that he being Chancellor at the time of the Purchase, caused the yearly Rent of the Lands to be undervalued, very much in deceit of the King. The residue of the Articles were much of the same Nature, for Deceiving the King, but in less Matters, except one, wherein he was charged, That by his fault some of the Tax given last Parlement was diverted to other Uses then for which it was given, so as the Sea was not so well Guarded as it ought to have been.

To this he Answered, [4] That while he was Chancellor, he neither purchased any Lands of the King, nor did he give any to him, unless when he made him an Earl, yet confessed he had 400 Marks a year of the King by way of Exchange; for so much he had by inheritance out of the Customs of Hull, whereof some part was assigned to him by one Tydemann de Limbergh, and others before he was Chancellor, and some part came to him by Descent; and his Brother in Law Sir Richard le Scrop, shewed the said Earl, by his Valiant Acts inundry Battles, and his Worthy Behaviour and Counsel in several Offices at home, did justly deserve what he had; He Answered to every Article; [5] he sufficiently proveth the Oath had another intendment then what was then put upon it, and further proveth, that notwithstanding his Oath, he did both lawfully take and buy. But the Commons were not satisfied with his Answers, and therefore at their Request, by the King's Command, he was Arrested, and committed to the Constable of England, and afterward let to Mainprise; and had further [6] Judgment, That for Breach of his Oath contained in the first Article, all the Lands he had of the King's Gift in that Article should be seized into the King's Hand, to have to him and his Heirs for ever, together with all the Mean Profits and Issues of the same, saving to him the Name and Title of an Earl, and 20 l. a year granted out of the Profits of the County of Suffolk. [7] The like Judgment was given in every Case and Article, where he was charged with Deceit of the King.

Sitting this Parlement the King was at [8] Elham, his presence was desired there, and by assent of the whole Parlement, Thomas Duke of Gloucester, and Thomas Arundell Bishop of Ely, were sent to him, who saluting him on behalf of the Noblemen and Commons, related to him their Thoughts or Requests, in Words to the same sense that the Historian writes their Speech in, [9] Qui salutarum cum ex parte procerum & Communium Parlamentis sui

Z z 2

[1] Walsingham. f. 323. n. 60, &c. Knighton, ut supra, n. 40, 50, 60.

[2] Rot. Clause 10 Ric. II. M. 42. Dors. The Duke of Suffolk, Michael de la Pole, [3] Rot. Parl. 10 Ric. II. n. 6. impeached by the Commons.

[4] Ib. n. 7. His Answer to the Articles.

[5] Ib. n. 10. The Commons not satisfied with his Answer.

[6] Ib. n. 13. The Judgment against him.

[7] Ib. n. 14, 15, 16.

[8] Knighton, col. 2681. n. 20. The King first for to come to Parliament, by the Duke of Gloucester and Bishop of Ely [9] Ib. n.

Their Speech
to the King
upon this Oc-
casion.

[1] Ib. n. 40,
50, 60, &c.

[2] Ib. Col.
2683. l. 1.

[3] Ib. l. 1.

* The Case of
Edw. II.

[4] Clause
10 Ric. II.
M. 35.
The great
Officers of
State chang-
ed.

[5] Pat. 10 Ric.
II. p. 1. M. 16.

[6] Pat. 10 Ric.
II. p. 1. M. 7.

Eleven Com-
missioners ap-
pointed to
Govern the
Kingdom.
Their Names.

sub tali sensu verborum ei referentes vota eorum; and then be-
gins the Speech, which was in such Language as Subjects in any
times did not use towards their Kings and Princes, so that 'tis
most probable *Knighon* was both the Author of the Words,
and Speech, as indeed most Historians are of the Speeches and
Orations found in them. [1] The Speech reckons up all King
Richard's Faults most severely, and what Wicked and Evil Coun-
sels he followed, and what desperate Courses he intended to pursue,
in delivering what he had in France to, and putting himself un-
der the Protection of that King, threatening him several times
with an old Statute, and a laudable and approved Custom they
had, which could not be gainfayed, to warrant what they said
to him, and urged him to perform; [2] And at last the Speech-
maker, whether the Duke of Gloucester, or Thomas Arundell Bishop
of Ely, or Knighon, tells King Richard, they had one thing
more to intimate to him on behalf of the People in these
Words; [3] *Habent enim ex antiquo Statuto, & de facto non longe*
retroactis temporibus experienter, quod dolendum est, habito, si Rex ex
maligino Consilio quocunque vel inepta Contumacia aut Contemptu seu
proterva voluntate singulari aut quovis modo irregulari, se alienaverit
a populo suo, nec voluerit per jura Regni & Statuta ac laudabiles ordi-
nationes cum salubri Consilio Dominorum & procerum Regni gubernari
& Regulari, set Capitulo in suis insaniis Consiliis propriam voluntatem
suum singularem proterve Exercere, extunc licitum est eis cum Communi
assensu & consensu populi Regni ipsum Regem de Regali solio abrogare,
& propinquiores aliquem de stripe regia loco ejus in Regni solium subli-
mare; That is, For the People have it by an old Statute, and
by * Fact, (which cannot be expressed without Grief) by Expe-
rience not very long since committed, That if a King, by any
Malignant Counsel whatever, or foolish Contumacy or Con-
tempt, or froward arrogant Willfulness, by any singular or ir-
regular Means, did alienate himself from his People, nor would
be Governed or Ruled by the Laws, Statutes, and Laudable or-
dinances of the Kingdom, with the wholesom Advice of the
Lords and Noblemen, but like a Blockhead frowardly exercise
his own singular Will in his Mad Counsels, then it was lawful
for them, with the Assent and Consent of the People of the
Kingdom, to Dethrone that King, and place in the Throne in his
stead some one more near a-Kin to him of the Royal Family.

On the 24th of October next following, Thomas Arundell, Bishop
of [4] Ely, was made Chancellor in the place of the Earl of Suff-
olk; and on the same day John Gilbert, Bishop of Hereford, was
made [5] Treasurer instead of John de Fordham, Bishop of Dur-
ham; John de Waltham was also made Keeper of the Privy Seal.

In the [6] Patents of this year, of his own free-will, at the
Request of the Lords and Commons, the King changed these Great
Officers; and further, by advice and assent of the Lords and Com-
mons in full Parliament, in aid of the good Government of the
Kingdom, the good and due Execution of the Laws, and in Re-
lief of his own Estate, and that of his People, he appointed
Eleven Commissioners, William Arch-Bishop of Canterbury, Alexander
Arch-Bishop of York, his Uncles Edmond Duke of York, and Tho-
mas Duke of Gloucester, William Bishop of Winchester, Thomas Bishop
of Excester, Nicholas Abbat of Waltham, Richard Earl of Arundell,
John

And Power.

John Lord Cobham, Richard Lescor, and John Devereux, to be his
great and Continual Council for one year next coming after the date
of these Letters Patents; by which he gave them Power to Survey
and Examine all his Officers, Courts, Household, and the Government
of the whole Kingdom; To receive all his Revenue, as also all Subsi-
dies, Taxes, and other Payments; To do what they would in the King-
dom, and to amend all things according to their Discretions; and
these Powers, greater perhaps than any King ever exercised,
were given to any Six of them, with his Three Great Officers;
Willing, That if diversity of Opinion happened between his Coun-
sellors and Officers, that the Matter should be determined by the
greater part of them; commanding and charging all Prelates, Dukes,
Earls, Barons, the Steward, Treasurer, and Controller of his Household,
the Justices of one Bench and the other, and other his Justices
whatsoever, Barons, and Chamberlains of the Exchequer, Sheriffs,
Escheators, Majors, Bayliffs, and all other his Officers, Ministers,
and Lieges whatsoever, that they be attending, obedient, counsel-
ling, and aydant to the said Counsellors and Officers, so often and
in what manner they should direct. Dated at Westminster the
19th day of November. Upon this Commission a Statute was made,
and the whole Recited in it. See Statutes at Large, Cap. 1. in the
Tenth of Richard the Second, the Parlement Roll of this year,
and the Pleas of the Crown in the Parlement the 21st of this
King.

This Parlement ended on the 20th of [7] November, and the
last thing entred upon the Roll before that Memorandum is, That
the King made open Protestation in full Parlement with his own Mouth,
That for any thing was done [8] in that Parlement, he would not that
prejudice should come to him or his Crown, but that the Prerogative and
Liberties of his Crown should be safe and preserved.

This year Richard Fitz-Alan, Earl of Arundel, was made
[9] Admiral of the whole Fleet in the West and North parts of
the Kingdom; he got ready the Fleet, and put to Sea early in
the Spring, and on the 24th of March discovery was made of a
great [1] Navy of Flemings, French, and Spaniards, laden with
Wine, and well Guarded with Men of War; after a sharp En-
gagement, wherein he took many Armed Ships, killed and took
many Soldiers of different Quality, the rest fled; he pursued
them two days, and in the whole took an Hundred and more
Ships great and Small, wherein were Nineteen thousand Tuns of
Wine. [2] Knighon in his Relation of this Engagement says,
there were One hundred twenty six Ships taken, in which were a-
bout Twelve or thirteen thousand Tuns of Robet Wine, and that
the Admiral of Flanders was taken with many others; [3] He
resisted his Ships, and sailed into Britany, and relieved Breſt be-
sieged the second time by that Duke, demolished the Castles he
had built about it, and between Lady-Day and Midsummer took
One hundred and sixty Ships well laden.

This Summer the King with his Queen went [4] a Progress into
the West and North Parts of the Kingdom; in his Return he
held a Council at Nottingham on the 21st of August, where many
Questions about the Commission and Statute made last Parlement,
and those that procured and forced the King to grant them, and
how they were to be punished, were propounded to the Two Chief
Justices

[7] Rot. Parl.
10 Ric. II.
n. 36
The King's
Protestation
in Parlement.
[8] Ib. n. 35.

[9] Rot. Franc.
10 Ric. II.
M. 13. and
M. 18.

[1] Walſingham,
f. 326. n. 10,
20, 30, 40.

The English
take an Hun-
dred and
more Ships
from the Flem-
ings, French,
and Spaniards.

[2] Col. 2692.
n. 40, 50, 60.

[3] Ib. and
Col. 2693.
n. 18.

A D. 1388.

[4] Ib. n. 20,
30, 40, 50, 60.
The King
and Queen's
Progress.
The Commis-
sion and Sta-
ture made last
Parlement
Questioned.

Justices, and other Judges, who answered, they ought to be punished as Traytors, as will be more fully related in the following Account of this year. In this Council were present, Alexander Arch-Bishop of York, Robert de Vere Duke of Ireland, Michael de la Pole Earl of Suffolk, Robert Tresilian Chief Justice of the King's Bench, and Nicholas Brembre of London, Knight, his great Favourites and Advisers in all things, who were heard before all others, and according to common fame only they.

On the [5] 10th of November the King came to London, where he had a Wonderful Splendid Reception by the Major and Citizens, who went out to meet him, says the Historian, with an innumerable Multitude of Horsemen richly Clad, and conducted him and his Queen to St. Paul's Church, and from thence to his Palace at Westminster, his great unhappy Favourites accompanying him; Next day, on the Feast of St. Martin, the King and his Favourites had notice the Duke of Gloucester, the Earls of Arundel and Warwick, were marching toward London with a great Force, from Haringay Park near Highgate, who wrote [6] to the Major, Sheriffs, and Aldermen of the City, to let them know, They were and always would be Obedient and Loyal Lieges to the King, and that they ought not to wonder at their assembling in such a manner, for that in the last Parliament it was ordained by the King, That certain Lords there appointed and Sworn for the Honour of God, the good of the King and Kingdom, to have the Government of his Council and the Realm for one year; which Government had been, and was then greatly disturbed by Alexander Arch-Bishop of York, Robert Vere Duke of Ireland, Michael de la Pole Earl of Suffolk, Robert Tresilian false Justice, and Nicholas Brembre false Knight of London, all and every one false Traytors to the King and Kingdom, who falsely and Traiterously by their Engines, Counsel, and Conduct of the Honourable Person of the King, carried him into divers Parts far from his Council, in the Ruin of him and his Realm, and falsely Counsell'd him against their Oath to do divers things in Disheritance and Dismembering his Crown, being in point to loose his Heritage beyond Sea, to the great injury and destruction of the whole Nation; and falsely made several Differences between the King and Lords of his Council, so as some of them were in fear and danger of their Lives, as they had informed the King by the Arch-Bishop of Canterbury, the Duke of York, the Bishops of Winchester, and Ely, and divers other great Lords. To Redress these things, and Punish the Traytors according to Law, they were assembled, Requiring and Charging them (the Major, &c.) by virtue of their Allegiance, That they should make full Proclamation (vous requirons & chargeons par vertue do vostre legiance que vous eut facez plein proclamation, &c.) thro' the whole City, that this is our intent and no other, and that for the Honour, Profit, and Salvation or Safety of the King, Kingdom, and all his Loyal Lieges, and that you will be Aiding and Comforting with all your Endeavour and Power, not favouring or aiding the Traytors, nor any of them, as you desire the Honour of God, the King and Kingdom, and the safety of your City, and that you neglect not this as you will avoid the danger that may happen in time to come, and that you certify us in this Matter on Friday next, which was the 15th of November.

On

[5] Ib. Col. 2696. n. 40, 50, 60. The King splendidly received by the Major and Citizens of London.

The Duke of Gloucester, Earls of Arundel and Warwick, march with a great Force toward London.

[6] Ib. Col. 2699. n. 30, &c.

Their Letter to the Major, Sheriffs, and Aldermen of the City.

On that day the Arch-Bishop of Canterbury, the Bishop of Ely, and other Lords, were [7] sent from the King, to inquire after the Duke and Earls, and having found them, the Duke and Earls Agreed to come to the King on Sunday following, when the King sat Two hours in his Throne in Westminster-Hall expecting them: The Reason of their Stay was, they had been informed, that at the Mews, and in the Arch-Bishop of York's House, there were Men placed to surprize them, which and all other suspicious Places being searched, they came into the King's presence, many Lords, Great Men and Commons accompanying them: When they came into the Hall, and first saw the King, they saluted him on their Knees, and coming to the foot of the Steps, or Stairs, up to the Throne, they again saluted him on their Knees, and the King making Signs to them to come up the Steps, at the top of them they the Third time saluted him on their Knees: The King arose, and took every one by the Hand, as his Friend, and sat down again. They then Excused themselves to the King, saying, They did not think or intend any Evil against his Person, and told him their Grievance was concerning the Five Traytors, and gave the King a full Account in Writing what they charged them with; He then promised publicly, That he would cause them to appear next Parliament, and stand to the Judgment of the Laws of the Land, and prefix't a day for the meeting of the Parliament; [8] and set forth a Proclamation on the 19th of November to Excuse the Duke and Earls, and that he thought them not Traytors, as he had been told by some of his secret Advisers, but Worthy Men, and took them into his special Protection; signifying also to the People, That Alexander Arch-Bishop of York, Robert Vere Duke of Ireland, Robert Tresilian Justice, and Nicholas Brembre Knight of London, were also in his Protection until the next Parliament, when they were to Answer what could be objected against them; and therefore commanded, That no Man under any pretence should do them any Injury, or give them any Trouble. The Five Favourites absented themselves, and lay privately where they could; [9] only the Duke of Ireland went into Lancashire and Cheshire, where, as 'tis said in this Author, the King wrote to Sir Thomas Molineux, Sir Ralph Vernon, Sir Ralph Radcliffe, the Sheriffs and other Great Men of those Shires, to raise a Force, and Conduct him to him, which they did to the number of Five thousand Men. The Duke of Gloucester, the Earls of Derby, Arundel, Warwick, and Nottingham hearing of it, with what speed they could raised a great Force; in the mean time the Duke of Ireland, on the Eve of St. Thomas the Apostle, or Twentieth of December, was come into Oxfordshire, and intended to pass [1] the River Isis at Radcot-Bridge, upon which the Duke of Gloucester had placed a Guard, and so Broken it, as it was impassable; when the Duke of Ireland, seeing the great Force of his Enemies, with very great danger adventured to pass the River on Horseback, and made his Escape.

The Duke of Gloucester and Earls [2] went to Oxford, where they consulted what to do; from thence they marched to St. Albans, and staid there on Christmas-Eve and Day, with their Forces. On St. Stephen's Day they marched towards London, and shew themselves before the City in the Fields near Clerkenwell, with a

[7] Ib. col. 2701. n. 10, 20, &c. Several Persons sent to inquire after the Duke and Earls. They Agree to come to the King.

They pretend there were People placed in several Places to surprize them, which were searched. The manner of their Address to the King. His Kind Reception of them.

And Promise to them.

[8] Ib. col. 2701. n. 10. He Excuseth the Duke and Earls by Proclamation.

[9] Ib. col. 2702. n. 10, 30, &c. The Duke of Ireland sent into Lancashire and Cheshire, to raise Forces for the Security of the King. The Duke of Gloucester, the Earl of Derby, &c. raise a great Force. [1] Ib. col. 2703.

The Action at Radcot-Bridge.

[2] Ib. col. 2704. n. 10, 20, &c. The Duke & Earls march with their Army to London.

detectable

The Major
send them the
Keys of the
Gates.

What they
did in the
City.

[3] Ib. n. 40.

They go into
the Tower to
the King.
Their Dis-
courses with
him.

[4] Ib. n. 50,
60.
He granted
what they
asked.

They shew
the King from
the Tower.
Walks their
Numbers.

[5] Ib. col.
2705. n. 10,
20, 30.
Many sent to
Prison;
Others re-
moved from
Court.

[6] Ib. col.
2706. n. 16.
The Judges
taken off the
Benches, and
sent to the
Tower.

[7] Claus. 11
Ric. II. M. 24.
Drf.
A Parlement
called.
The Cause of
Summons.

[8] Rot. Parl.
11 Ric. II. n. 1.
part 1.

delectable and incredible Force (*cum delectabili & incredibili Armata manu*) divided into Three Bodies. From hence Two Knights and some Squires were sent to the Major and other Chief Persons of the City, to come to the Lords, to certify them, Whether they would stand with them, and with the Commons of the Kingdom (*& cum Communibus Regni*) or with the Duke of Ireland, and with the Traitors of the King and Kingdom. The Major Nicholas Exton, with the Best Men of the City, came to them, delivered the Keys of the Gates, submitted themselves to them, and offered them free Passage into the City with all their People. But before they entred, they sent in some Knights and Squires to search the Gates, Towers, and Strong Places, lest by Treachery they might be assaulted; and when all things were found secure, they entred and staid there. When it was agreed between the King and Lords they might come and speak with him in the Tower, where he then was; [3] the King sent them the Keys of the Gates, and all the Munitions: And here again they sent Knights and Squires to search all Places before they entred, lest there should be any secret Practices and Treachery against them; and when they thought themselves secure, the Duke of Gloucester, the Earls of Derby, Arundel, Warwick, and Nottingham, went into the Tower, and left their Army with the Rabble in the Plain before it. After Salutation, the King took them into his Chamber, where they had a long Discourse about what they came for; and he seeing the imminent Dangers, favoured them in what they desired. [4] They asked of him, That all of his Court suspected of Treason and Falsity (*de proditoriis & falsitate suspecti*) might be seized, and every one imprisoned in several Castles. The King granted what they asked. The Earl of Derby persuaded the King to go upon the Tower-Wall to view the People gathered together for saving of himself and the Kingdom. When he saw them, he wondered at the Number and Strength of the Kingdom. Then the Duke of Gloucester told him, there was not the Tenth Part of the People that would join with them to destroy the false Traitors of the King and his Kingdom.

After this, [5] the King commanded many there named to be sent to the Castles of Nottingham, Dover, Bristol, Rochester, Gloucester, &c. to be kept until next Parlement to answer their Demerits. There were also then Removed from the Court John de Fordham Bishop of Durham, the Lords Beaumont, Zouch, Burnel, and Lovell, Sir Thomas Camoys, the Son of the Lord Clifford, Sir Baldwin Beresford, the Bishop of Chichester the King's Confessor, the Lady Mobun, the Lady Poynings, and the Lady Molinex. [6] And on the first Day of the Parlement, Sir Roger Fulthrop, Sir Robert Belknap, Sir John Cary, Sir John Holt, Sir William Burgh, all Judges, and John Loketon Serjeant at Law, were taken off the Benches doing their Offices, and sent to the Tower.

On the 17th of [7] Decemb. Writs were issued for a Parlement to meet on the 2d of February, or on the morrow of the Purification of the Virgin Mary next coming. On that Day Thomas Fitz-Alan Bishop of Ely and Chancellor of England, Brother to the Earl of Arundel (from whence his Name of de Arundel from that Title) declared the cause of Summons to be, [8] To consider by what means the Troubles in the Kingdom for want of good Govern-

ment

ment might be ended, the King better Advised, the Realm better Governed, Misdemeanours more severely punished, and good Men better encouraged; how the Kingdom best defended, the Sea best kept, the Marches of Scotland best guarded, Guyen preserved, and how the Charges of these things was most easily to be born. And then gave notice, That who would complain in that Parlement of such things as could not well be redressed by the Common Law, might carry their Petitions to the Clerks in Chancery, there named, appointed to receive them.

Thomas Duke of Gloucester [9] kneeled before the King, and said he understood the King had been informed, that he was about to depose him, and make himself King; and profered to stand to the Award of his Peers in Parlement. The King declared openly, That he did not think him Guilty, and had him fully excused.

The Lords Spiritual and Temporal then present, * claimed as their Liberty and Franchise, That all great Matters moved in that Parlement, and to be moved in other Parlements in time to come, touching Peers of the Land, should be discussed and judged by the course of Parlement, and not by the Law Civil, or the Common Law of the Land used in lower Courts of the Kingdom: Which Claim, Liberty, and Franchise, the King (benignement) kindly allowed and granted in full Parlement.

The Five [1] Lords Appellants Thomas Duke of Gloucester, Henry Earl of Derby, Richard Earl of Arundel, Thomas Earl of Warwick, and Thomas Earl of Nottingham and Earl-Marshal, made open Protestation in full Parlement, That what they did touching their Appeal and Suit in that Parlement, and had done before, and all the Men and People being in their Company (or of their Retinue or Assembly) and with them in all that Affair, was done principally to the Honour of God, and in Aid and Safety of the King and all his Kingdom, and the Safety of their Lives.

The Lords and Commons [2] granted half a Tenth, and half a Fifteenth before the Parlement ended, with Protestation, That it was done of Necessity; and that it might be no Prejudice to the Lords and Commons in time to come, because it was granted: And further they pray the King, That notwithstanding the Grant so made, the Parlement might hold on its course, and be Adjourned, if need were; and that all things touching the said Parlement might be done and executed as if the Grant had not been made, until the end of the Parlement in manner accustomed. And the King granted their Request, as a thing he ought to do of Reason.

Friday the 21st of March, which was the 46th Day of Parlement, [3] the Prelates, Lords, and Commons made the Oath following upon the Cross of Canterbury in full Parlement.

Then shall [4] Swear, That you will keep and cause to be kept the good Peace, Quiet, and Tranquillity of the Kingdom: And if any will do to the contrary thereof, you shall oppose and disturb him to the utmost of your Power. And if any People will do any thing against the Bodies of the Persons of the Free Lords; that is to say, Thomas Duke of Gloucester, Henry Earl of Derby, Richard Earl of Arundel and

A a a

Surrey,

[9] Ib. n. 6.
The Duke of
Gloucester's sus-
picion of him-
self.
The King de-
clares him not
guilty.

* Ib. n. 7.

[1] Ib. n. 8.
The Protesta-
tion of the 5
Lords Appel-
lants.

[2] Ib. n. 11.
Half a tenth
and half a
15th granted.

[3] Ib. n. 12.
in fine.
The Prelates,
Lords, and
Commons
swear.

[4] Append.
n. 106.
Their Oath.

Surrey, Thomas Earl of Warwick, and Thomas Earl-Marshal, or any of them, you shall stand with them to the end of this present Parlement, and maintain and support them with all your Power, to live and die with them against all Men, no Person or any other thing excepted, saving always your Legiance to the King, and the Prerogative of his Crown, the Laws and good Customs of the Kingdom.

The Subsidy of Leather, Wool, &c. [5] Rot. Parl. 117 Ric. II. n. 16. granted upon condition.

[6] Ib. n. 23. The Commons Request to the King.

[7] Ib. n. 30. His Answer.

[8] Ib. part 2. Alexander A. Bp. of Ebor. the Duke of Ireland, and Earl of Suffolk, accused.

The Lords and Commons grant to the King, in Defence of the Realm, a Subsidy upon Leather, Wool, and Woollfells, [5] upon Condition the Five Lords Appellants should have out of it 20000 l. by Assent and Grant of the King, for their Costs and Labour, and Expences before that time, for the Honour, Profit, and Safety of the King and whole Kingdom.

The Commons [6] pray, That no Person, of what Estate soever, do intermeddle with the Business of the Kingdom, nor the Council of the King, but those assigned in his Parlement, unless it be by Order of the Continual Council. And prayed also, That they might have Power to remove all Persons from the King which they thought fit to remove, and put others in their Places.

As to the first Point of this Article [7] (*le Roy le voet*) the King granteth it. As to the second, if any Lord of the Council, or other Lord of the Kingdom, will inform the King that he had about him any Person not Sufficient, or Honest, he wil- leth, That if it be proved, he shall be put away and re- moved, and another Sufficient, by Advice of himself, put in his Place.

In this [8] Parlement, Thomas Duke of Gloucester, Constable of England, Henry Earl of Derby, Richard Earl of Arundel and Surrey, Thomas Earl of Warwick, and Thomas Earl-Marshal, did accuse and appeal Alexander Arch-Bishop of York, Robert de Vere Duke of Ireland, and Michael de la Pole Earl of Suffolk; saying,

I. 'That as False Traitors and Enemies to the King and King- dom, taking Advantage of his tender Age, and the Innocency of his Person, informed him, and put upon him for Truth false things of their own Invention, against Loyalty and Good Faith, and made him entirely their own: so as they had his Love, firm Faith, and Credit, while he hated his Loyal Lords and Lieges, by whom he ought to have been Governed: And encroaching to themselves Royal Power, in Disfranchising the King (*en Defranchisantz nostre dit Seigneur le Roy*) blemishing his Sovereignty, and lessening his Prerogative and Royalty, and made him so Obedient, as he was Sworn to be Governed, Counsellor, and Conducted by them; by virtue of which Oath, they kept him in Obedience to their false Imaginations and mischievous Deeds, contained in the following Articles.

II. 'Alfo whereas the King is not bound to make any Oath but on the Day of his Coronation; or for the Common Profit of himself and Kingdom, the aforesaid Alexander, Robert, and Michael

'Michael, False Traitors, and Enemies to the King and Realm, made him Swear and Assure them, That he would Maintain, Support, and Live and Die with them: And also whereas the King ought to be of more free Condition than any other of his Kingdom, they have put him more in Servitude than any one, against his Honour, Estate, and Royalty, against their Legiance as Traitors to him.

A III. 'Alfo the said Robert, Michael, and Alexander, by the Assent and Counsel of Robert Tresilian false Justice, and Nicholas de Brembre false Knight of London, by their false Contrivance would not suffer the Great Men of the Kingdom, nor good Counsellors to come near the King, nor would suffer him to speak with him, unless in their Presence and Hearing, accroaching to themselves Royal Power, Lordship, and Sovereignty upon the Person of the King, to the great Dishonour and Peril of the King, the Crown, and his Realm.

B IV. 'Alfo the said Alexander, Robert, Michael, Robert Tresilian false Justice, and Nicholas de Brembre false Knight of London, by their false Wickedness evilly advised the King, so as his appearance he ought to make to the Great Lords and his People Liege, and the Favours and Right, to which they requested his Answer, were not to be obtained, but at their Pleasure and Allowance, in staying the King from his Duty, and against his Oath, and turning the Hearts of the Great Lords from him, with Design to estrange his Heart from the Peers of the Land, to have amongst them the sole Government of the Kingdom.

C V. 'Alfo by the said Encroachment of Robert de Vere Duke of Ireland, and Michael de la Pole, by the Advice and Counsel of Alexander Arch-Bishop of York, caused the King, without Assent of the Kingdom, by their Abtements, without any De- ferts of the Persons, to give divers Lordships, Castles, Towns, and Mannors, as well annexed to his Crown as others, as the Land of Ireland, the Town of Okeham, and the Forest thereof, and other Lands which were the Lord Audley's, and other great Estates, to the said Robert de Vere, and others, whereby they are greatly enriched, and the King become poor, and had not wherewith to support and bear the Charges of the King- dom, unless by Impositions, Taxes, and Tributes, put upon his People, in Disfranchising his Crown, and undoing the Realm.

D VI. 'Alfo by the Encroachment of the said Alexander, Robert, and Michael, by the Assent and Advice of Robert Tresilian false Justice, and Nicholas Brembre false Knight of London, caused the King to give divers Lands, Mannors, Tenements, Rents, Offices, and Bailiwics, to People of their Kinred, and other Persons, of whom they received great Bribes; and also to make them of their Party in their false Quarrels and Purposes; as in the Case of Robert Manfield Cleric, John Blake, Thomas Uske, and others, to the undoing of the King and King- dom.

F VII. 'Alfo, Robert de Vere, &c. Michael de la Pole, &c. Alexander Arch-Bishop, &c. by Assent and Counsel of Nicholas Brembre, &c. encroaching to themselves Royal Power, caused

the King to give very great Sums of Gold and Silver, as well of his own Goods and Jewels, as the Treasure of the Kingdom, as *Tenths, Fifteenthths*, and other *Taxes*, granted by divers Parlements, to be expended in Defence and Safeguard of the Kingdom, and otherwise, which amounted to the Sum of 100000 Marks and more, to *Robert Vere Duke of Ireland*, and others: And further, they caused many good Ordinances and Purposes made and ordained in Parliaments, as well for the Wars as Defence of the Kingdom, to be interrupted, to the great Injury of the King and Kingdom.

VIII. Also by the said Encroachment, and by great Bribes taken by the said *Robert, Michael*, and *Alexander*, divers Persons not sufficient or fit, had the Guard and Government of divers Lordships, Castles, and Countries of War, as in *Guyen* and elsewhere, as well on this side as beyond the Sea; whereby the People and Countries of those Parts, Liege and Loyal to the King for the greater Part, were destroyed, and great Dominions of late rendred into the hands and possession of the Enemy, without Assent of the Realm, which were never in the hands of the Enemy since the Conquest of them, as in the Marches of *Scotland* and elsewhere, in Disherison of the Crown, and great Injury of the Realm, as in the Case of *Harpedene, Craddock*, and others.

IX. Also by the Encroachment of the foresaid *Alexander, Robert, Michael, Robert*, and *Nicholas*, divers People have been hindered of the Benefit of the Common Law of *England*, and put to great Delays, Losses, and Costs; and Statutes, Judgments, justly made upon the necessary Causes in Parliement, have been reversed and nulled, by Procurement of the said Misdoers and Traitors, and this by Reason of the great Bribes by them received, to the greatest Injury of the King and Kingdom.

X. Also the Five aforesaid accroaching to them Royal Power, as false Traitors to the King and Kingdom, caused and counselled the King to grant Charters of Pardon for horrible Felonies and Treasons, as well against the State of the King as of the Party, against the Law and Oath of the King.

XI. Also, whereas the Great Lordship and Land of *Ireland*, hath been beyond Memory Parcel of the Crown of *England*, and the People thereof for all that time have been the King's Lieges without mean to him or his Royal Progenitors; and our Lord and his Noble Progenitors King's of *England*, in all their Charters, Writs, Letters, and Patents, and also under their Seals in Augmentation of their Names and Royalty, stiled themselves *Lords of Ireland*; the foresaid *Robert Duke of Ireland, Alexander, &c. Michael, &c.* as false Traitors to the King by the said Encroachment, gave Advice that the King, inasmuch as was in him, had granted, that *Robert de Vere* should be King of *Ireland*; and to accomplish this wicked Purpose, the foresaid Traitors counselled and excited the King to send Letters to the Pope to ratifie and confirm their Traiterous Intention, without the Knowledge and Assent of the Kingdom of *England*, or Land of *Ireland*, in parting the King's Legiance in respect to both Nations, in decrease of the Honourable Name of the King, and in open Disherison of his Crown of *England*.

land, and full Destruction of his Loyal Lieges and the Nation of *Ireland*.

XII. Also, whereas by the Great Charter, and other good Laws and Usages of the Kingdom, no Man ought to be taken, put in Prison, or to Death, without due Process of Law, the fore said *Nich. Brembre* false Knight of *London*, took by night certain Persons out of the Prison of *Newgate*, Chaplains, and others, to the Number of Twenty two, some Debtors, others accused of Felony, and some Approvers in the Case of Felony, and some taken and imprisoned there upon suspicion of Felony, and led them into *Kent* to a Place called the *Foul Oke*, and there encroaching to himself Royal Power, as a Traitor to the King, and without Warrant or Process of Law, caused their Heads to be cut off, all but one, who was Appealed of Felony by an Approver, and him he suffered to go at large at the same time.

XIII. Also the foresaid *Alexander, &c. Robert, &c. Michael, &c. Robert, &c. Nicholas, &c.* Traitors to the King and Kingdom, took great Bribes in many Cases, in the Name of the King, for Maintenance of Quarrels or Suits; and one time took Bribes of both Sides or Parties, as shall be more fully shewed, if need be.

XIV. Also these Five caused some Lords and others Loyal Lieges to be put out of the King's Council, and so as they dare not speak in Parliement about the good Government of the King's Person or Kingdom.

XV. Also, whereas in the last Parliement all the Lords, Sages, and Commons there assembled, seeing the imminent Ruin of the King and Kingdom, by the Perils and Mischiefs aforesaid, and for that the King had forsaken the Counsel of the Kingdom, and holden himself altogether to the Counsel of the said Five Evil-doers and Traitors; and also for that the King of *France* with his Royal Power was Shipped at Sea, ready to have Landed in *England*, to have destroyed the Kingdom and Language thereof; and there was no Ordinance then made, or Care taken for the Safety of the King and Kingdom; They knew no other Remedy than to shew the King fully how he was ill Governed, Led, and Counsell'd, by the Traitors and Ill-doers aforesaid; requiring him most humbly as his Loyal Lieges, for the Safety of him and his whole Realm, and to avoid the Perils aforesaid, to remove from his Presence the said Evil-doers and Traitors, and not to do any thing after their Advice, but according to the Counsel of the Loyal and discreet Sages of the Realm: And hereupon the said Traitors and Evil-doers, seeing the Good and Honourable Opinion of the Parliement, to undo this Good Purpose, by their false Counsel caused the King to Command the Major of *London* to kill and put to death all the said Lords and Commons, except such as were of their Party; to the doing whereof, these great Traitors and Evil-doers should have been Parties, and present, in undoing the King and Kingdom.

XVI. Also, That those Five Traitors, &c. when the Major and Good People of *London* utterly refused, in the Presence of the King, to Murder the Lords and Commons, by their said

Trai-

Traiterous Accroachment, falsly Counselling the King, and prevailed with him to leave the Parlement for many Days; and caused him to certifie (& first certifier) That he would not come to the Parlement, nor Treat with the Lords and Commons of the Busines of the Kingdom, for any Peril, Ruin, or Mischief that might happen any ways to him or the Realm, if he were not first assured, by the Lords and Commons, that they would not speak or do in that Parlement against any of the Misdoers, saving that they might proceed on in the Proceſs which was then commenced against Sir Michael de la Pole; to the great Ruin of the King and Kingdom, against the ancient Ordinances and Liberties of Parlement.

XVII. Also the said Lords and Commons, after they understood the King's Mind, by the wicked Excitation and Counsel of the Five, &c. was such, as he would not suffer any thing to be commenced, pursued, or done, against the said Mis- or Evil-doers (*mesfours*) they dare not speak or proceed against the King's Will; and then in Parlement was read the Counsel and Advice of the Lords and Justices, and other Sages and Commons of Parlement, how the Estate of the King and his Royalty might be best saved, against the Perils and Mischiefs aforesaid, and they knew not how to find any other Remedy than to ordain, That Twelve Loyal Lords of the Land should be the King's Council for One Year; and that there should be made such a Commission and Statute, by which they should have full and sufficient Power to Ordain, &c. according to the Effect of the Commission and Statute; by which Commission and Statute, no Man was to Advise the King against them, under Forfeiture, for the first Offence, of his Goods and Chattels; for the second Offence, Life and Member: Which Ordinances, Statute and Commission were made agreeable to the Assent of the King, the Lords, Justices, and other Sages and Commons assembled in the said Parlement, to save the King, his Royalty and Realm: The said Traitors and Misdoers, by their Evil, False, and Traiterous Informations of the King, that the said Ordinance, Statute, and Commission were made to Defeat his Royalty; and that all those who procured and counselled the making of them, and those who excited the King to Consent to them, were worthy to be done to Death as Traitors to the King.

XVIII. Also, after this, the said Five Misdoers and Traitors, caused the King to assemble a Council of certain Lords, Justices, and others, many times without the Assent and Presence of the Lords of the Great Council; and made divers Demands of them very suspicious, of divers Matters; by which the King, Lords, and Common People were in great Trouble, and the whole Realm also.

XIX. Also to accomplish the said High Treason, the Misdoers and Traitors, Alexander, &c. Robert, &c. Michael, &c. by the Assent and Counsel of Robert Tresilian, and Nicholas Brembre, caused the King to go through the Kingdom with some of them, and into Wales, and caused him to make come before him the Lords, Knights, and Esquires, and other good People of those Parts, as well of Cities and Burghs, as other Places; and made come to

enter into Bond, others by their Oaths, to stand with him against all People, and to effect his Purpose, which at that time was the Will and Purpose of the said Misdoers and Traitors, by their false Imaginations, Deceits, and Accroachments aforesaid: Which Securities and Oaths were against the Good Laws and Usages of the Land, and against the Oath of the King, to the great Ruin and Dishonour of the King and Kingdom.

XX. Also by force of such Bonds and Oaths, all the Realm was put into great Trouble by the said Evil-doers and Traitors, and in peril to have suffered many importable Mischiefs.

XXI. Also, to bring about their Traiterous Purposes, the said Five caused the King to go into several Parts of the Kingdom for some long times, whereby the Lords assigned by the said Ordinance, Statute, and Commission, could not Advise with him about the Business of the Kingdom; so as the Purport and Effect of the Ordinance, Statute, and Commission, were Defeated, to the great Ruin of the King and Kingdom.

XXII. Also the said Robert de Vere Duke of Ireland, by the Counsel and Abet of the other Four Traitors, accroaching to himself Royal Power, without the King's Commission, or other sufficient usual Warrant, made himself Justice of Chester, and by himself and Deputies held all manner of Pleas, as well Common, as of the Crown, and gave Judgments upon them, and made Execution thereof; and also caused many Original and Judicial Writs to be sealed with the Great Seal used in those Parts: And also by such Accroachment of Royal Power, he caused to rise with him a great Part of the People of that Country, some by Threats, others by Imprisonments of their Bodies; some by seizing of their Lands; others by many Dishonest Ways by colour of the said Office; and all this, to make War upon, and destroy the Lords, and other the King's Loyal Lieges, in undoing the King and whole Realm.

XXIII. Also the said Traitors Robert de Vere, &c. Alexander, &c. Michael, &c. by the Counsel and Abet of Robert Tresilian and Nicholas Brembre, incroaching to themselves Royal Power, caused to be delivered John de Blois Heir of Britan, who was Prisoner and Security to the King and Kingdom, without Assent of Parlement and the King's Great Council, and without Warrant, to the great Strengthening of the Adversary of France, the great Ruin of the King and Realm, and against the Statutes and Ordinances aforesaid, made in the last Parlement.

XXIV. Also, the said Five Traytors caused the King to have a great Retinue of late, of divers People to whom he gave Badges, which was not done in ancient time by any Kings his Progenitors, that he might have Power to perform their false Treason aforesaid.

XXV. Also the aforesaid Five Misdoers and Traytors, in full accomplishment of all their Treasons aforesaid, and to make the King give Credit to them and their Counsel, and hold

them more Loyal and greater Sages then others of his Kingdom, and the more to colour their false Treasons, they caused the King to make come before him in several Places of the Kingdom, divers Justices and Lawyers, *Robert Tresilian, Robert Belknap, John Cary, John Holt, Roger Fulthorp, William Burgh, his Justices, and John de Loketon, Serjeant at Law*, and with them *John Blake Referendary*, and others; which Justices, Serjeant, and *John Blake*, being asked in the presence of the King by the Misdoers, Whether the foresaid Ordinance, Statute and Commission, were made in Derogation of his Royalty and Prerogative or not? and divers other Questions; To which they answered in manner following.

Be it Remembred, That on the Twenty first day of *August*, in the Eleventh year of *King Richard* the Second, at the *Castle of Nottingham* before the King, *Robert Tresilian Chief Justice*, and *Robert Belknap Chief Justice* of the Common-Pleas, *John Holt, Roger Fulthorp*, and *William Burgh, Knights, Justices Associate* of *Robert Belknap*, and *John Loketon* the King's Serjeant at Law, in the presence of the Lords and other Witnesses underwritten, personally there being, were required by the King upon their Faith and Allegiance to answer faithfully to certain Questions, and speak the Law concerning them, according to their Discretion.

The Opinion
of Judges, &c.
concerning
the Statute
and Commis-
sion.

First, 'It was demanded, Whether the new Statute, Ordinance, and Commission made in the last Parliament at *Westminster*, did derogate to or from the King's Royalty, and Prerogative? They unanimously answer, It did, especially for that they were contrary to the King's Will.

2. 'Also it was demanded, How those were to be punished that procured the Statute, Ordinance, and Commission to be made? They unanimously answer, With Death, unless the King would shew them favour.

3. 'Also it was demanded, How they were to be punished that Excited the King to Consent to the making of that Statute, Ordinance, and Commission? They unanimously answer as to the last Question.

4. 'Also they were demanded, How they were to be punished, that forced or straitened the King (*qui compulerunt sive Archa-runt Regem*) to consent to the making of the Statute, Ordinance, and Commission? They unanimously answer, They were deservedly to be punished as Traytors. Likewise they were demanded, How they were to be punished, who hindered the King from Exercising those things which belonged to his Prerogative and Royalty? They also unanimously answer, They were to be punished as Traytors.

5. 'Also it was demanded, Whether after the Parliament was met, and the Business of the Kingdom, and the Cause of the Meeting of the Parliament, by the King's Command, declared, and certain Articles appointed by the King, upon which the Lords and Commons ought to proceed, if the Lords and Commons would proceed upon other Articles, and not upon the Articles limited by the King, until they had the King's Answer

to

to their own Articles, notwithstanding the King had enjoined them to the contrary? Then, Whether the King ought to have the Government of the Parliament, and indeed to govern effectually, so as upon the Articles limited by the King, they ought first to proceed? Or, Whether the Lords and Commons ought first to have Answer from the King to their own Articles, before there were further Proceedings? (*Nunquid Rex debeat habere in ea parte Regimen Parliamenti, & de facto Regere & effectum, quod super Articulis limitatis per Regem primo debeant procedere, vel an Domini & Communes primo debeant habere Responsum a Rege super Articulis per eosdem expressis, antequam ulterius procedatur*) They unanimously answer, That in such Case the King should have the Government, and so in order in all other Articles touching the Parlemt to the end of the same; and if any one acted contrary to this Government of the King, he was to be punished as a Traytor.

6. 'Also it was demanded, Whether the King when he pleased might not Dissolve the Parliament, and Command his Lords and Commons to depart from thence? They unanimously answer, He might, and if any one afterward proceeded as in Parliament against the King's Will, he was to be punished as a Traytor.

7. 'Also it was demanded, Whether when the King pleased to Remove any of his Justices and Officers whatsoever, and Judge and Punish them for their Faults, the Lords and Commons without the King's Consent or Pleasure, impeach those Officers in Parliament for their Offences? They unanimously answer, They cannot, and if any one acted to the contrary he was to be punished as a Traytor.

8. 'Also it was demanded, How he was to be punished who moved in Parliament, that the Statute might be sent for, by which *Edward* the Second, the King's Great Grandfather, was adjudged in Parliament, by the Inspection of which Statute, the new Statute, Ordinance, and Commission, were conceived in Parliament? They answer unanimously, That as well he who so moved, as the other who by pretext of that Motion, carried that Statute to the Parliament, were deservedly to be punished as Criminals and Traytors.

9. 'Also it was demanded, Whether the Judgment given in the last Parliament at *Westminster* against the *Earl of Suffolk*, was Erroneous and Revocable? They answer unanimously, That if it were now to be given, the Justices and Serjeant aforesaid would not give it, because it seemed to them it was Revocable as Erroneous in every part of it.

In Testimony of all which the Justices and Serjeant aforesaid put to their Seals, these being Witnesses, the Reverend Fathers *Alexander Arch-Bishop of York, Robert Arch-Bishop of Dublin, John Bishop of Durham, Thomas Bishop of Chichester, John Bishop of Bangor, Robert Duke of Ireland, Michael Earl of Suffolk, John Ryppon Clerc*, and *John Blake Esq;* Dated in the Place, Day, Month, and Year aforesaid.

Witnesses to
the Opinions
of the Ju-
stices.

B b b

XXVI.

XXVI. These Five are Accused, That they drew away the Heart, and Good Will of the King from the said Lords and others which agreed to make the Commission and Ordinance in the last Parlement, who accounted them his Enemies and Traytors, and being sure the Justices favoured their Design, contrived that those Lords and others should be Arrested, Endicted, and Attained, by false Enquests of Treason, and put to Death, and they and their Blood or Issue Disherited; and these false Arrests, Endictments, and Attainders, should be made in London or Middlesex, and for that cause they made a False and Wicked Person, one Thomas Husk, Under-Sheriff of Middlesex, who by their Assent, Procurement and Command, undertook the said false Endictments and Attainders should be made and accomplished, (*Emprist que les ditz faux endictments & attainders serroient faiz, & accomplis.*) And for the better accomplishment of their Treason, the said Traytors caused the King to write Letters of Credence by one John Rypen false Clerk of their Covin, to the Mayor of London, to Arrest the Duke of Gloucester and others, and by force of those Letters, one John Blake carried to the Mayor a Bill of Information against them, by which they were to be Indicted and Attainted; The Effect of which Bill was, That it seemed for the better certain of the Lords, Knights, and Commons of the last Parlement, which were notoriously impeachable, (*les queux sont notoirement empeachable*) should be privately Endicted in London and Middlesex of Conspiracy and Confederacy, for that they at a certain day there, falsely and Traiterously Conspired between themselves, and Confederated themselves to make in the same Parlement a Statute and Commission against the Royalty of our Lord the King, and in Derogation of his Crown, and procured the same Statute there afterwards at a certain day to be made, and also procured our Lord the King to assent against his Will to have it made, and also constrained him to have it made against his Will; and they Traiterously against their Ligeance hindered the King from using his Royalty, to the great Disherison of him, and Derogation to his Crown, against their Ligeance, swearing to maintain each other in this Matter.

And further, the said Evil-Doers and Traytors, (*Mesfours & Traytors*) set a Watch to give notice of the Duke of Lancaster's landing in England, that he might be Arrested just upon his arrival.

XXVII. Also these Five Evil Doers and Traytors after having informed the King, so as he believed the Statute, Ordinance, and Commission, were made in Derogation of his Royalty and Prerogative, they strongly possessed him that all those, who made or caused to be made the said Statute, Ordinance, and Commission, had a purpose to Degrade and Depose him; and that they would not give over that purpose, until they had perfected it; for which Cause the King held them as his Enemies and Traytors.

XXVIII. Also, after this False and Traiterous Information, when the Five aforesaid had procured the King to hold the Loyal Lords as Enemies and Traytors, the said Misdoers and

Traytors

Traytors advised him by every way possible, as well by the Power of his own People, as by the Power of his Enemies of France, and others, to destroy and put to Death the said Lords, and all others who assented to the making of the said Statute, Ordinance, and Commission, and that it might be done so privately as none might know it but such as did it.

XXIX. Also, to accomplish the High Treason aforesaid, Alexander, &c. Robert de Vere, &c. and Michael, &c. by their Advice, caused the King to send his Letters of Credence to his Adversary the King of France, some by one Nicholas Southwell Valet of his Chamber, and others, by other Persons of small Account, well Strangers as English, requesting and praying the King of France, That he would with all his Power and Advice be Aiding and Strengthening him to Destroy and put to Death the Lords and other English, which the King held to be his Enemies and Traytors as above, to the great Trouble and Dissatisfaction of the whole Kingdom.

XXX. Also the last named Three, encroaching to themselves Royal Power, caused the King to promise the King of France by his Letters and Messages, That for the Ayd and Power he was to receive from him, to accomplish this High Treason and Murder, he would give and surrender, and give unto him the Town and Castle of Calais, and all other Castles and Fortresses in the Marches or Confinnes of Picardy and Artois, the Castles and Towns of Cherburgh and Brest, to the great Dishonour, Trouble and Ruin of the King and Kingdom.

XXXI. Also, after the last named Three were sure of having Ayd and Assistance from the King of France, by Excitation and Contrivance of the said Traytors, a Conference was to have been in the Marches of Calais about a Truce for Five years, between the Two Nations, at which Conference both Kings were to be present, and also the English Lords, which the King then held to be his Traytors, and there Thomas Duke of Gloucester Constable of England, Richard Earl of Arundell and Surry, and Thomas Earl of Warwick, and others, were to be put to Death.

XXXII. Also, for performance of this High Treason, the last named Three caused the King to send for Safe-conducts to the King of France, some for himself, some for the Duke of Ireland, and some for John Salisbury, John Lancaster, Knights, with other People, with them, to go into France, to put in Execution this Wicked Purpose and Treason; which Safe-conducts were ready to be produced.

XXXIII. Also the foresaid Nicholas Brembre false Knight of London, by Assent and Advice of Alexander, &c. Robert de Vere, &c. Michael, &c. and Robert Tresilian false Justice, encroaching to themselves Royal Power as before; some of them went Personally into London, and without the Assent and Knowledge of the King, there openly in his Name, made all the Crafts of that City to be Sworn to hold and perform divers Matters not Honest, as is contained in the said Oath upon Record in Chancery, and amongst other things, That they should keep and uphold the King's Will and Purpose, to their Power, against all such as were or should be Rebels, or against the

B b b 2

King's

'King's Person or his Royalty, and that they were ready to live and die with him, in destruction of all such, who did or should design Treason against the King in any manner, and that they should be ready, and come readily to their Mayor, for the time being, or that afterwards should be, when and what hour they should be required, to resist so long as they lived, all such as did or should design any thing against the King in any of the Points aforesaid; at which time the King by Evil Information of the said Misdoers and Traytors, and by the false Answer of the Justices, firmly held the said Lords and others, who contrived the Statute, Ordinance and Commission, to be his Rebels, Enemies and Traytors, which Information was then unknown to the People of London; and also, That by obscure Words contained in the Oath, the Intent of the Misdoers and Traytors was to engage the People of London to raise their Power to destroy the Loyal Lords.

XXXIV. 'Also, the said *Nicholas, Alexander, Robert de Vere*, and *Michael*, Traytors to the King and Kingdom, encroaching to themselves Royal Power, of their own Authority, without Warrant from the King or his great Council, caused to be proclaimed thro' the City of London, That none of the King's Lieges should Aye or Comfort *Richard Earl of Arundell* and *Surry*, a Peer of the Land, and one of the Lords of the King's great Council, during the Commission, or to sell him Armor, Victuals, or other things necessary, and to avoid all of his Party as Rebels, upon forfeiture of whatever they could forfeit to the King, shewing a Patent from the King, for making such Proclamation, in of the King's Loyal Lieges.

XXXV. 'Also, the said *Nicholas Brembre*, by Assent and Counsel of *Alexander, Robert de Vere*, and *Michael*, made to be proclaimed in the City of London, That no Person should be so hardy to speak one Word of ill of the said Misdoers and Traytors, upon pain to forfeit whatever they could forfeit to the King, also encroaching to themselves Royal Power.

XXXVI. 'Also, the said Five Traytors to the King and Kingdom, caused the King to send to his Council certain Persons to be Sheriffs thro' the Kingdom, named to him by the Evil-Doers and Traytors, to the intent they might make such Parliament Knights, as they should name, to the undoing of the good Loyal Lords, and the good Commons, and also the good Laws and Customs of the Kingdom.

XXXVII. 'Also, the Five Misdoers and Traytors, during the time of Protection, to hinder the Appeal, falsely Counseled, and caused the King to Command by his Letter divers Knights and Esquires, his Sheriffs, and other his Ministers of divers Counties, to levy and assemble all the Power they could to come with the Duke of Ireland against the Lords Appellants, to make sudden War upon and destroy them.

XXXVIII. 'Also, during the time of Protection of the said *Robert de Vere*, &c. *Michael*, &c. *Alexander*, &c. *Nicholas*, &c. caused the King by his Letters to notify to the Duke of Ireland, they were all appealed of Treason, by *Thomas Duke of Gloucester* Constable of England, *Richard Earl of Arundell* and *Surry*, and *Thomas Earl of Warwick*, and how he had given them day 'until

'until the next Parlement, and how he had taken into his special Protection both Parties, with all their Goods and Chattels; and it was further contained in the King's Letters, That if the Duke of Ireland had sufficient Power, he should not cease to march on with all his Force to come to him; and soon after they caused the King to write to that Duke, That he should take the Field, with all the Force he could get together, and that he would meet him with all his Power, and that he would adventure his Royal Body with him, and that he was in great danger, and also the whole Nation, if he was not relieved by him; and this the Duke ought to discover to all the People with him, and that the King would pay all his Wages and Costs, and of all the People assembled with him. By force of which Letters, the Wicked and Traiterous Excitations, as well of the Duke and his Adherents, and all the other Misdoers and Traytors, he raised a great number of Men at Arms, and Archers, as well in the Counties of Lancaster and Chester, and in Wales, as other Places of the Kingdom, to destroy and put to death the Lords and all others who ordered and assented to the making of the Statute, Ordinance and Commission, to the Ruin of the King and his Kingdom.

XXXIX. 'Also, the said *Robert de Vere* Duke of Ireland, false Traytor to the King and Kingdom, assembled a great Power of Men at Arms and Archers in Lancashire, Cheshire, Wales, and many other Places, to the intent to have Traiterously destroyed with all his Power the said Lords, *Thomas Duke of Gloucester* Constable of England, *Henry Earl of Derby*, *Richard Earl of Arundell* and *Surry*, *Thomas Earl of Warwick*, and *Thomas Earl of Marshal*, and other the King's Lieges, to the Undoing and Ruin of the King and whole Kingdom, and so Rod or Marched with a great Force of Men at Arms and Archers, from the County of Chester to Radcot-Bridge, accroaching to himself Royal Power, Displaying the King's Banner in his Army, against the State of the King, and his Crown.

'This Impeachment was Exhibited on Monday the first [1] day of the Parlement, being the 3d of February, when the Lords Appellants affirmed they were ready to prove every Article as it should be awarded in Parlement, to the Honour of God, the Honour and Profit of the King, and the whole Realm; whereupon the Appealed were called in Parlement before the King and Lords, to appear and make Answer to the Appellants; and the same Demand of their Appearance was made in Westminster-Hall, and at the great Gate of the Palace of Westminster, to come and Answer the Appellants; and because they came not, being so solemnly called, the Duke of Gloucester and the other Appellants prayed the King, and Lords, to Record their Default, and proceed to Judgment; Thereupon, [2] the King and Lords Deliberate upon their Demands until next day, being Tuesday, when the Justices, Serjeants, and other Sages of the Law of the Kingdom, and also the Sages of the Law Civil, were charged by the King to give their Loyal Counsel to the Lords of Parlement, how they should proceed in the Case of Appeal. The said Justices, Serjeants, and Sages of both Laws having

[1] Rot. Parl. 11 Ric. II. Part 3. This Roll is not numbered. The Appealed summoned to appear.

[2] Ibid.

How they
were to be
Tried.

[3] *Ibm.*

[4] *Ibm.* and
Append. n.
108.

[5] *Ibm.*
The Appealed
appear not.

having Deliberated, answered the Lords in Parlement, That they had noted and well understood the Tenor of the Appeal, and that it was done, neither according to the Order of one Law or the other; Upon which the Lords in Parlement Deliberated, and by the common assent of the King and Lords, it was declared, That in such high Crimes which touched the Person of the King, and the State of the whole Realm, perpetrated by Persons that were Peers of the Realm, with others, the Cafe could not be brought under other Judicature then that of Parlement, nor other Law then the Law and Course of Parlement, and that it belonged to the Lords in Parlement, their Franchise, and Liberty, of ancient Custom of Parlement, to be Judges in such Cafes, and to Judge of such Cafes by the assent of the King, to the [3] intent that the King and Lords of Parlement shall not be Ruled or Governed by the Civil Law, and also that so high a Cafe should be no where Tried but in Parlement, by Process or Order used in any Inferior Court of the Kingdom, which Courts are but the Executors of the ancient Laws and Customs of the Realm, and Ordinances and Establishments of Parlement, and the Lords were advised by assent of the King, That this Appeal was made and affirmed, well and duely Stated, and the Process of the same good and effectual according to the Law and Course of Parlement; Upon which the Appellants press the King and Lords again to Record the Default, and that *Nicholas Brembre*, who was only in Custody, might be brought to answer; The Appealed were again called to come and Answer to the said Appellants, and came not, nevertheless the King and Lords advised for their better Deliberation until the Morrow, being *Wednesday* the 5th of *February*, at which time the said Appellants prayed the King and Lords in Parlement they would Record the Default of the Appealed as before: Whereupon the Arch-Bishop of *Canterbury* for himself and all other Bishops his Suffragans, and all other Lords Spiritual of his Province, made [4] Protestation, and delivered it in Writing into Parlement, for the saving of their Right of Peerage Sitting and Voting in Parlement, tho at present there were such Matters there in Agitation as by the Sacred Canons they might not be present.

Then the Appealed [5] by Command of the King and Lords, were solemnly called to appear as before, and the Appellants alledging they had full notice of the Appeal, and the King and Lords being satisfied it was so; by reason they came not, their Default was Recorded, whereupon the Duke and Earls Appellants, prayed the King and Lords as before, they might be Judged Convict of the High Treasons contained in the Appeal, and the said *Nicholas* brought to Answer. The King and Lords took time to Consider and Examine the Articles, whether they could give such Judgment in this Cafe as should be to the Honour of God, the Honour and Profit of the King, and the whole Kingdom. The King Commanded the Lords to Examine the Articles, who did, with great labour and diligence, until *Thursday* the 13th of *February*, and then declared many of the Articles contained Treason, as the First, Second, Eleventh, Twelfth, Fifteenth,

teenth, and Sixteenth, as also the Eighteenth, Twenty ninth, Thirtieth, Thirty first, Thirty second; the Thirty seventh, Thirty eighth, and Thirty ninth were Treason. And then upon due Information of their Consciencés, pronounced the Appealed Guilty, and Judged them to be [6] Drawn and Hanged as Traitors and Enemies, to the King and Kingdom; and that their Heirs should be Disherited for ever, and their Lands, Tenements, Goods, and Chattels forfeited to the King; and that the Temporalities of the Arch-Bishoprick should be taken into the King's hands: And for that the like Cafe had not been seen in the Kingdom concerning the Person of an Arch-Bishop or Bishop, the Lords would Advise by Assent of the King, what they may best do for the Honour of God, and of Holy Church, and the Safety of the Laws of the Land.

Then the Duke and Earls Appellants prayed Sir *Nicholas Brembre* might be brought to Answer; and on *Monday* the 17th of *February*, the Constable of the Tower brought him into Parlement, [7] where the Articles of Appeal were read to him; to which he pleaded Not Guilty in any Point of them; and said he was there ready to make good what he said by his Body, as a Knight ought to do. The Lords answered, Battel did not lie in that Cafe; and that they would examin the Articles touching the said *Nicholas*, and take due Information by all true, necessary, and convenient Ways, that their Consciencés might be duly informed what Judgment to give in this Cafe, to the Honour of God, the Honour and Profit of the King and his Kingdom, as they would answer it before God, according to the Course and Law of Parlement.

During this Examination, on *Wednesday* the 19th of *February*, Sir *Robert Tresilian* was taken, and brought into [8] Parlement; and being asked if he had any thing to say which had happened since Judgment passed upon him, why execution thereof should not be made; for that he had nothing to say, it was commanded he should be carried to the Tower, and from thence drawn through the City of *London*, and forward to the Gallows at *Tyburn*, and there to hang by the Neck, and that the Execution should be done by the *Marshall of England*, taking to his Assistance the *Major*, *Sheriffs*, and *Aldermen of London*: And he was Executed the same Day.

On the morrow, [9] which was the 20th Day of *February*, Sir *Nicholas Brembre* was brought into Parlement, when the Lords, by diligent Examination, due Proof and Information, found him Guilty of High Treason; and they Awarded, by Assent of the King, as a Traitor and open Enemy to the King and Kingdom, he should be Drawn and Hanged, his Heirs for ever Disherited, and his Lands, Tenements, Goods and Chattels forfeit to the King: And he was Executed on the same Day, and in the same manner as was *Robert Tresilian*.

It was the Intention [1] of all the Lords of Parlement, Spiritual and Temporal, as well the Lords Appellants as all others, and by them agreed, That considering the tender Age of the King before that time, and the Innocency of his Royal Person, that nothing contained in the Appeal, nor in any Article thereof, nor in the Judgments given, should be accounted any Fault or

[6] *Ibm.*
Their Judgment.

Sir *N. Brembre*
brought to
answer.

[7] *Ibm.*

[8] *Ibm.*
Sir *R. Tresilian*
taken and
brought into
Parlement.

Sentence'd and
Executed.
[9] *Ibm.*
Sir *N. Brembre*
Sentence'd and
Executed.

[1] *Ibm.*
The Parlement Judge
the King innocent,
notwithstanding
the Appeal
and Articles.

Dishonesty in his Person in no manner, for the Cause above-
said, nor should turn in Prejudice of his Person by any Contri-
vance or Interpretation whatever; but that the false Treason
and Default above-said, should be charged upon the Appealed, and
that the Judgments given against them, should have full Force
and Virtue, notwithstanding any thing could be said or alledged
to the contrary.

[5] Ibm.
Several others
impeached by
the Commons.

Upon [2] Monday the 2d Day of March next following, Sir
Robert Belknap late Chief Justice of the Common Bench, Sir Roger
Fulthorp, Sir John Holt, Sir William Burgh, late his Companions
of the same Bench, Sir John Cary, late Chief Baron of the Exchequer,
and John Loketon, late Serjeant to the King, were accused and im-
peached by the Commons in Parlement, for putting their Hands
and Seals to the Questions and Answers afore-said, by the Procure-
ment of the Appealed and Convicted Persons of Treason, to
cover and affirm their High Treasons, &c. (*pour couvrir & affer-
mir leur hautes Treisons*) a Copy whereof was exhibited and read
before them; and they were answered, as was furnished by the
Commons, in the said Copy; and they answered, They could
not gainsay it, but that the Questions were such as were asked
them; but the Answers were not such as they put their Seals
to.

[3] Ibm.
Sir R. Belknap
his Excuse.

Sir Robert [3] Belknap pleaded, That the Arch-Bishop of York,
in his Chamber at Windsor told him, That he devised the Com-
mission and Statute, &c. That the King hated him above all Men;
and that if he found not some way to make void the Statute
and Commission, he should be slain as a Traitor. He answered,
That the Intention of the Lords, and such as assisted at the ma-
king of them, was, That they should be for the Honour and good
Government of the State of the King, &c. That he twice parted
from the King dissatisfied, and was in doubt of his Life; and
said the Answers were not made by his Good-will, but contrary to
his Mind, by the Threats of the Arch-Bishop of York, Duke of Ire-
land, and Earl of Suffolk; and that he was Sworn and Commanded
in the Presence of the King, upon pain of Death to conceal this
matter, as the Counsel of the King: And prayed for the Love
of God he might have Gracious and Merciful Judgment.

[4] Ibm.
Sir J. Holt
made the
same Excuse.

Sir John Holt [4] alledged the same matter of Excuse, and made
the same Prayer.

[5] Ibm.
Sir W. Burgh
and Sir J. Cary
the same.

Sir William [5] Burgh and Sir John Cary pleaded the same mat-
ter of Excuse, and made the same Prayer.

[6] Ibm.
Sir R. Fulthorp
and J. Loketon
the same.

Sir Roger [6] Fulthorp and John Loketon make the same Excuse
and Prayer.

[7] Ibm.
Notwithstand-
ing their Ex-
cuses, the
Commons pray
they may be
Judged, Con-
victed, and
Attainted as
Traitors.

To which [7] the Commons answered, They were taken and
holden for Sages in the Law; and the King's Will was, That they
should have Answered the Questions as the Law was, and not
otherwise, as they did, with Design and under colour of Law to
Murder and Destroy the Lords and Loyal Lieges, who were Aid-
ing and Assisting in making the Commission and Statute in the last
Parlement, for the good Government of the State of the King
and

and Kingdom; and therefore the Commons pray they may be Ad-
judged, Convicted, and Attainted as Traitors.

Upon [8] which the Lords Temporal took time by good Deli-
beration to examine the Matter and Circumstances of it, and for
that they were at, and knew of the making of the Statute and
Commission, which they knew were made for the Honour of God, and
for the good Government of the State of the King and whole Kingdom;
and that it was the King's Will they should not have otherwise
Answered than according to Law, and had Answered as before.
They were by the Lords Temporal, by the Assent of the King,
adjudged to be Hanged and Drawn as Traitors, and their Heirs
Disherited, their Lands, Tenements, Goods, and Chattels to be
forfeit to the King.

[8] Ibm.

Their Judg-
ment.

On [9] Tuesday, March 3. John Blake and Thomas Usk were
brought into Parlement; and first John Blake was impeached by
the Commons. That being retained of Council for the King, drew
up the Questions to which the Justices made Answer, and contri-
ved with the Persons Appealed, that the Lords and others the
King's Loyal Lieges, that caused the Commission and Statute to be
made in the last Parlement, to have them indicted in London and
Middlesex for Treason; and that they might be arrested, and
falsly, traiterously and wickedly murdered; and that he was aiding
and advising in the Treasons afore-said, to the Appealed.

[9] Ibm.
J. Blake im-
peached.

Then Thomas [1] Usk was accused for procuring himself to be
made Under-Sheriff of Middlesex, to the end to cause the said
Lords and Loyal Lieges to be Arrested and Indicted, as hath been
said before, and was Aiding and Counselling the Appealed in the
Treasons afore-said.

[1] Ibm.
T. Usk accused.

John [2] Blake answered, he was retained of Counsel for the
King by his Command, and sworn to keep secret his Advice;
and whatever he did was by the King's Command, whom he
ought to obey. And Thomas Usk gave the same Answer. Where-
upon the Lords Temporal took Deliberation until the morrow
being the 4th of March, when the said John and Thomas were
again brought into Parlement; and good Advice and Delibera-
tion having been taken by the Lords, pronounced them Guilty of
the things whereof they were accused. [3] And whereas they al-
ledged for their Excuse the King's Command, it made their Crime
the greater; for that they knew well, that the Appealed and Ad-
judged accroached to themselves Royal Power, as said is before,
and it was their Command, and not the King's; and then the
Lords Awarded, by Assent of the King, they should both be Drawn
and Hanged as Traitors and open Enemies to the King and King-
dom, and their Heirs Disherited for ever, and their Lands, Te-
nements, Goods, and Chattels forfeited to the King; and they
were Executed the same Day.

[2] Ibm.
Their Ans-
wers,

[3] Ibm.
And Judg-
ments.

On [4] Friday the 6th of March, Sir Robert Belknap, Sir Roger
Fulthorp, Sir John Holt, Sir William Burgh, Sir John Cary and John
Loketon were brought into the Parlement; and the Lords were
advised, That they were at the making of the Commission and
Statute in the last Parlement, and Sir John Cary knew well they
were made to the Honour of God, and the good Government of the
State of the King and the whole Kingdom; and so on as before.

[4] Ibm.
Sir R. Belknap
and 5 others;

G e e

And

By the Medi-
ation of the
Bishops; had
their Lives
[pard.]

And then they had Judgment again passed on them as before; and at that very Moment came the Arch-Bishop of *Canterbury*, and all the Bishops of both Provinces, and prayed the *Lords Temporal*, the Execution as to their Lives might be respite, that they might obtain their Lives of the *King*. He ordered Execution should be stayed, and granted them their Lives: As to the other part of their Sentence, that was to remain in force, and their Bodies in Prison during the *King's* Pleasure; until the *King*, by Advice of the *Lords*, should direct otherwise concerning them.

[5] Ibm.
The Bp. of
Chichester and
the *King's*
Confessor im-
peached.

On the same [5] *Friday*, *Thomas Bishop of Chichester* and the *King's Confessor*, impeached and accused by the Commons; That he was present at the Places and Times, when the Questions were put to the Justices, &c. and the Answers made, and excited them by Threats to answer as they did, knowing the false Purposes and Treasons designed by the Traitors adjudged; and aided and assisted them, and would not make Discovery to any of the Lords that caused the Commission to be made last Parliament, whereby Remedy might have been had for the Safety of the King and Kingdom. [6] To which the *Bishop* answered of his own free Will, That he did not excite them to do or say any thing: And further said, They were not excited or charged to say any thing but what the Law was. And touching the Concealment of the Treasons, he had made such Assurance and Affiance as he could not discover. And said further, That the *Traitors* were about the *King*, and had such Power over him, before he had so great Interest in the *King*, as to prevent such Mischiefs as might come upon him. The Commons replied, He had upon the Matter confessed himself Guilty, and prayed he might be Attainted. Upon this Answer of the *Bishop*, the Replication of the Commons, and all Circumstances of the Accusation, the Lords took time to give such Judgment as might be for the Honour of God, and Profit of the King and Kingdom. [7] During which time, on the 12th of *March*, *Simon Burley Kt.* *John Beauchamp of Holt, Kt.* *John Salisbury Kt.* and *James Barners Kt.* were brought into Parliament, and at the Request of the Commons impeached.

[6] Ibm.

[7] Ibm.
Sir S. Burley
and 3 others
impeached.

The Articles exhibited against them were Sixteen: [8] The first Article in the Appeal was the first Article in this Impeachment. In the second Article they are accused as Traitors and Enemies of the Kingdom, for that they knew of all the Treasons in the Appeal mentioned, and that they were Aiding, Assisting, Counseling and Assenting to all the Traitors attainted; and that *Simon Burley* and *John Beauchamp*, were Principal Actors in all the Treasons. In the eighth Article they were accused for Conspiring and Designing, with the Five Appealed, to destroy and put to Death those who were Assenting to the making of the Commission and Statute in the last Parliament. The rest are of less moment; but all relating to the Articles of the Appeal. [9] They all answer, Not Guilty. The Commons replied, They were Guilty. The Lords take time to examin and consider the Impeachment. Upon this, and the *Bishop of Chichester's* Impeachment, the Lords Temporal until *Friday* the 20th of *March*, on which Day the Parliament was Adjourned unto the *Monday* next after,

[8] Ibm.
The Articles
against them.

[9] Ibm.

after, or on the morrow of the *Quinden of Easter*, or 13th of *April*. On which *Monday*, the Lords Temporal took time to Deliberate upon these Matters until the 5th of *May*, when *Simon Burley* was brought into the Parliament, and the Lords by due and sufficient Examination and Information, found him Guilty of what he was Impeached in the eighth Article, which had been adjudged Treason; and by Assent of the *King* Awarded he should be Drawn, Hanged, and his Head Chopped off. The *King* Pardoned his Drawing and Hanging; but his Head was Chopped off the same Day on *Tower-Hill*: His Heirs were Disherited for ever, and his Lands, Tenements, Goods, and Chattels forfeit to the *King*, as part of the Judgment.

The Judgment
against
Sir S. Burley,
who was exe-
cuted.

On the 12th of [1] *March*, *John Beauchamp*, *John Salisbury*, and *James Barners*, were brought into Parliament, and had the same Judgment. *Beauchamp* and *Barners* had their Drawing and Hanging Pardoned, and had their Heads struck off on *Tower-Hill*; and were all Executed on the same 12th of *March*.

[1] Ibm.
The 3 others
had the same
Judgment,
and executed.

On the same Day the [2] *Bishop of Chichester* was sent for into Parliament, where the *Lords Temporal* found him Guilty of Treason, as it was laid in the Impeachment, and by Assent of the *King* they Awarded his Heirs should be Disherited, his Lands, Tenements, Goods and Chattels forfeit to the *King*, and the *Temporalities* of his Bishoprick seized into the *King's* hands. As to his Person, the *Lords* would advise what to do for the Honour of God and Holy Church, and the Safety of the State of Prelacy, and of the Laws of the Land. And then in the same Parliament it was [3] Ordained, That this *Bishop*, Sir Robert Belknap, Sir Roger Fulthorp, Sir John Holt, Sir William Burgh, Sir John Cary, and John Loketon, should be sent into *Ireland* to several Towns and Places, there to remain during their Lives. [4] And it was also then Ordered, That Sir Robert Belknap and Sir Roger Fulthorp, for their support during their Lives, should have Forty Pounds a Year; Sir John Holt and Sir William Burgh Forty Marks a Year; Sir John Cary and John Loketon Twenty Pounds a Year of the *King's* Gift; and each of them to have Two Servants to wait on them: And that the *Bishop of Chichester* might have annually Forty Marks for his Sustainance during his Life, if any of his Friends would give him so much.

[2] Ibm.
Judgment a-
gainst the Bp.
of *Chichester*.

[3] Ibm.
He was with
6 others ban-
ished into
Ireland.

[4] Ibm.
Their allow-
ance from the
King by Or-
der of Parle-
ment.

[5] Stat. at
Large, 11 Ric.
II. c. 1.
Four Petiti-
ons of the
Commons,
Res. Parl. 11
R. II. part 1.
n. 37.
That the
Commission
and Statute
should be con-
firmed.
Also what the
Duke of *Glo-
cester*, *Earls* of
Warwick, *Arundel*,
Derby, and
Nottingham
did.

Upon [5] Petition of the Commons, the Ordinance and Commission made the last Year, were confirmed, and all that was done in that Parliament; and also what the Duke of Gloucester, Earls of Warwick and Arundel did, and all that the same Duke and Earls, with the Earls of Derby and Marshal, or any of them did, or any other of their Company, or of their Aid, or of their Adherents, or any of them, by their Assemblies, Ridings, Marchings in Arms, Appeals, and Pursuits, as things done to the Honour of God, the Safety of the *King*, Maintenance of his Crown, and Safety of the whole Kingdom. And also in pursuance of the same Petition, had a full Pardon for all things they had done or committed.

By the Mediation of the Bishops, had their Lives spared.

[5] *Ibm.*
The Bp. of Chichester and the King's Confessor impeached.

[6] *Ibm.*

[7] *Ibm.*
Sir S. Burley and 3 others impeached.

[8] *Ibm.*
The Articles against them.

[9] *Ibm.*

And then they had Judgment again passed on them as before; and at that very Moment came the Arch-Bishop of Canterbury, and all the Bishops of both Provinces, and prayed the Lords Temporal; the Execution as to their Lives might be respited, that they might obtain their Lives of the King. He ordered Execution should be stayed, and granted them their Lives: As to the other part of their Sentence, that was to remain in force, and their Bodies in Prison during the King's Pleasure; until the King, by Advice of the Lords, should direct otherwise concerning them.

On the same [5] Friday, Thomas Bishop of Chichester and the King's Confessor, impeached and accused by the Commons, That he was present at the Places and Times, when the Questions were put to the Justices, &c. and the Answers made, and excited them by Threats to answer as they did, knowing the false Purposes and Treasons designed by the Traitors adjudged; and aided and assisted them, and would not make Discovery to any of the Lords that caused the Commission to be made last Parliament, whereby Remedy might have been had for the Safety of the King and Kingdom. [6] To which the Bishop answered of his own free Will, That he did not excite them to do or say any thing: And further said, They were not excited or charged to say any thing but what the Law was. And touching the Concealment of the Treasons, he had made such Assurance and Assurance as he could not discover. And said further, That the Traitors were about the King, and had such Power over him, before he had so great Interest in the King, as to prevent such Mischief as might come upon him. The Commons replied, He had upon the Matter confessed himself Guilty, and prayed he might be Attainted. Upon this Answer of the Bishop, the Replication of the Commons, and all Circumstances of the Accusation, the Lords took time to give such Judgment as might be for the Honour of God, and Profit of the King and Kingdom. [7] During which time, on the 12th of March, Simon Burley Kt. John Beauchamp of Holt, Kt. John Salisbury Kt. and James Barners Kt. were brought into Parliament, and at the Request of the Commons impeached.

The Articles exhibited against them were Sixteen: [8] The first Article in the Appeal was the first Article in this Impeachment. In the second Article they are accused as Traitors and Enemies of the Kingdom, for that they knew of all the Treasons in the Appeal mentioned, and that they were Aiding, Assisting, Counseling and Assenting to all the Traitors attainted; and that Simon Burley and John Beauchamp, were Principal Actors in all the Treasons. In the eighth Article they were accused for Conspiring and Designing, with the Five Appealed, to destroy and put to Death those who were Assenting to the making of the Commission and Statute in the last Parliament. The rest are of less moment; but all relating to the Articles of the Appeal. [9] They all answer, Not Guilty. The Commons replied, They were Guilty. The Lords take time to examine and consider the Impeachment. Upon this, and the Bishop of Chichester's Impeachment, the Lords Temporal until Friday the 20th of March, on which Day the Parliament was Adjourned unto the Monday next after,

after, or on the morrow of the Quinden of Easter, or 13th of April. On which Monday, the Lords Temporal took time to Deliberate upon these Matters until the 5th of May, when Simon Burley was brought into the Parliament, and the Lords by due and sufficient Examination and Information, found him Guilty of what he was Impeached in the eighth Article, which had been adjudged Treason; and by Assent of the King Awarded he should be Drawn, Hanged, and his Head Chopped off. The King Pardoned his Drawing and Hanging; but his Head was Chopped off the same Day on Tower-Hill: His Heirs were Disherited for ever, and his Lands, Tenements, Goods, and Chattels forfeit to the King, as part of the Judgment.

On the 12th of [1] March, John Beauchamp, John Salisbury, and James Barners, were brought into Parliament, and had the same Judgment. Beauchamp and Barners had their Drawing and Hanging Pardoned, and had their Heads struck off on Tower-Hill; and were all Executed on the same 12th of March.

On the same Day the [2] Bishop of Chichester was sent for into Parliament, where the Lords Temporal found him Guilty of Treason, as it was laid in the Impeachment, and by Assent of the King they Awarded his Heirs should be Disherited, his Lands, Tenements, Goods and Chattels forfeit to the King, and the Temporalities of his Bishoprick seized into the King's hands. As to his Person, the Lords would advise what to do for the Honour of God and Holy Church, and the Safety of the State of Prelacy, and of the Laws of the Land. And then in the same Parliament it was [3] Ordained, That this Bishop, Sir Robert Belknap, Sir Roger Fulthorp, Sir John Holt, Sir William Burgh, Sir John Cary, and John Loketon, should be sent into Ireland to several Towns and Places, there to remain during their Lives. [4] And it was also then Ordered, That Sir Robert Belknap and Sir Roger Fulthorp, for their support during their Lives, should have Forty Pounds a Year; Sir John Holt and Sir William Burgh Forty Marks a Year; Sir John Cary and John Loketon Twenty Pounds a Year of the King's Gift; and each of them to have Two Servants to wait on them: And that the Bishop of Chichester might have annually Forty Marks for his Sustainance during his Life, if any of his Friends would give him so much.

Upon [5] Petition of the Commons, the Ordinance and Commission made the last Year, were confirmed, and all that was done in that Parliament; and also what the Duke of Gloucester, Earls of Warwick and Arundel did, and all that the same Duke and Earls, with the Earls of Derby and Marshal, or any of them did, or any other of their Company, or of their Aid, or of their Adherents, or any of them, by their Assemblings, Ridings, Marchings in Arms, Appeals, and Pursuits, as things done to the Honour of God, the Safety of the King, Maintenance of his Crown, and Safety of the whole Kingdom. And also in pursuance of the same Petition, had a full Pardon for all things they had done or committed.

The Judgment against Sir S. Burley, who was executed.

[1] *Ibm.*
The 3 others had the same Judgment, and executed.

[2] *Ibm.*
Judgment against the Bp. of Chichester.

[3] *Ibm.*
He was with 6 others banished into Ireland.

[4] *Ibm.*
Their allowance from the King by Order of Parliament.

[5] Stat. at Large, 11 Ric. II. c. 1.
Four Petitions of the Commons, Rat. Parl. 11 Ric. II. part 1. n. 37.
That the Commission and Statute should be confirmed.
Also what the Duke of Gloucester, Earls of Warwick, Arundel, Derby, and Nottingham did.

[6] Ib. chap. 3. n. 38. That several should be pardoned.

[7] Ib. chap. 3. n. 38. That what was done in the last Parliament should be confirmed.

That what was done in that Parliament, not to be drawn into Example for the time to come.

[8] Ib. chap. 3. & n. 38, 39. That none of the Appealed or Impeached to be restored to the Law.

The K. grants all four Petitions.

[9] Ib. & Ro. Parl. 11 Ric. II. n. 10. n. 39. Re.

[1] Rot. Parl. 11 Ric. II. n. 46. The Commons petition the King to renew his Coronation-Oath, the Prelates their Fealty, and Lords Temporal their Homage.

[2] Ib. n. 47. Which was done.

Upon a second Petition of the Commons, [6] all those that had been of the Retinue, Company, Force, Aid, Counsel, Assent, or Adherence, of them that were Attainted or Judged in this Parliament, for all things they had done were pardoned, except some there named.

A third [7] Petition was delivered in the same Parliament. That the Appeals, Pursuits, Accusations, Process, Judgments, and Executions made and given in this Parliament, be Approved, Affirmed, and Established, notwithstanding the Lords Spiritual were absent; and that by Imagination, Interpretation, or any other Motion, none of the same be reversed, broken, or annulled in any manner. And whosoever should make pursuit to break, annul, or reverse any of them, shall be judged to have Execution as a Traitor: Provided always, that this Acceptance, Approbation, Affirmance, and Establishment touching the Assemblies, Appeals, Pursuits, Accusations, Process, Judgments, and Executions, be in force in this Case only, and that they be not drawn into Example or Consequence in time to come. And though divers Points were declared for Treason in that Parliament, which were not declared by Statute before, That no Justice have Power to give Judgment of other Case of Treason, nor in other manner than they had before the beginning of this Parliament.

A fourth [8] Petition was then also delivered, That none of the Traitors attainted by the Appeal or Accusations of the Commons, who were alive, should be reconciled or restored to the Law, by Pardon or any other manner, saving the Grace and Pardon that was made in this Parliament; and any one that should endeavour to have such a thing done, should be judged and have Execution as a Traitor.

The [9] Answer to all these Petitions, was, That the King, upon the Assent of the Lords and Commons, granted the Petitions in all Points, and willed his Grant should be firm and stable, according to the Contents of the Petitions, without blemish for ever.

Then the [1] Commons humbly pray the King, for the nourishing of greater Love, Peace, and Quiet for the future in all Parts of the Nation, That he would please to renew his Coronation-Oath; and that the Prelates might renew their Fealty, and the Lords Temporal their Homage, notwithstanding they had done it before.

The Preparation and Introduction to this great Ceremony, was the Mass of the Holy Ghost sung in the Church of [2] Westminster, on Wednesday the 3d of June, and in the 121st Day of the Parliament; and a Sermon Preached by the Arch-Bishop of Canterbury, when the King of his Free-will, after Mass and Sermon were done, did renew His Oath with great Solemnity in the said Church, (le Roy de sa Franche volente, renouvella son dit serement oee grant Solemnity en la Eglise de Westminster) at which time the Prelates swore Fealty to him, and the Temporal Lords did him Homage. This done, the Prelates, Lords Temporal, and Commons, made openly a New Oath, as followeth:

Yon

You shall [3] Swear, That you shall not Assent or Suffer, as much as in you is, that any Judgment, Statute, or Ordinance made in this present Parliament, shall in any manner be annulled, reversed, or repealed, in any time to come; and further, That you shall support the Good Laws, and Usages of the Kingdom, and to your Power firmly keep, and cause to be kept, the good Peace, Quiet, and Tranquillity of the Kingdom, without disturbing it in any manner. So God help you, and the Saints.

And the [4] Arch-Bishop of Canterbury, and Prelates, Excommunicated all such as should break the Peace and Quiet of the Realm, and do contrary to this Oath. On the next day this Parliament ended, being Thursday the 4th of June, which, says Knighton, was called the Unmerciful Parliament, Parliamentum sine Misericordia, Col. 2701. line 2.

This Oath was urged [5] upon all Gentlemen and Dignified Persons of the Clergie in all Counties in England, and upon all the Majors, Bayliffs, and Aldermen of all Cities, Burghs, and Towns, by the King's Writ directed to the Sheriff, and one special Commissioner to administer it, dated June the 4th, 11th of Richard II.

This year the [6] Scots invaded the West Marches of England near Carlisle, burnt and plundered the Country, and carried away with them Three hundred Persons. They also about the beginning of August invaded the East Marches, and burnt, plundered, and wasted the Country. In this Invasion were many of the most considerable Men in Scotland, with the Chief Strength of that Kingdom; Henry Percy, Son and Heir to the Earl of Northumberland, called Hotspur, opposed, and fought with them near Newcastle, he with his own Hand killed Earl Douglas, the most Potent of the Scots, and Mortally wounded the Earl of Murray, yet he himself was taken, with his younger Brother, and Twenty one Knights, and many other Men at Arms and Archers, and carried into Scotland. There were also many Scots taken, amongst whom was James Lindsey, the Queen's Brother. This Fight was on the [7] Wednesday before St. Lawrence, or 10th of August, in the 12th of Richard the Second. The number of the Slain were Eleven hundred.

This year there was a Truce concluded at Len Lingham, a Place between Calais and Boloign, from the First of August. A. D. 1389, to the Sixteenth of August 1392, between the King of France and all his Allies, the Kings of Spain, of the Romans, Portugal, the King of Scots, &c. And the King of England and all his Allies, [8] confirmed by the King of Scots at Perth on the 16th of July 1390.

About the [9] beginning of November this year, the Duke of Lancaster returned from Gascony into England, where and in Spain he had been Three years; and about the beginning of December the King was at Reding, [1] where he called a great Council; The Duke of Lancaster being there, reconciled the Mind of the King to the Great Men, and their Minds to him; and so as they seemed after the Dissolution of the Council to depart satisfied.

[3] Append. n. 107. A new Oath.

[4] Rot. Parl. 11 Ric. II. n. 49.

Those that brake the new Oath Excommunicated.

[5] Clause 11 Ric. II. M. 13 or 14. Doff. m. c. xlii. This Oath generally administered to Gentlemen, &c.

[6] Knighton, col. 2728. n. 40.

The Scots enter England, burn and waste the Country. A Battle between the English and Scots.

[7] Ib. c. 2729. l. 2.

A. D. 1389. 12 Ric. II.

A Truce made at Len Lingham for 3 years, 13 Ric. II.

[8] The Original in the Chapter-House at Westminster.

[9] Walsingham. 145. n. 10. The Duke of Lancaster's Return into England.

[1] Ib. n. 40. He reconciles the King and the Great Men.

The

[5] *Rat. Claus.*
13 *Ric. II. M.*
1. *Def.*
A. D. 1390.
A Parliament
called.
The King de-
clared to be
of Age.
[3] *Rat. Parl.*
13 *Rich. II.*
n. 1.

And takes
upon him the
Government.
[4] *Ib. n. 6, 7.*
The Chancel-
lor and Treas-
urer quit
their Places,
as also all
Privy-Coun-
sellors.

The King re-
ceives them
again into
their Places,
and the Privy-
Council.

[5] *Ibm.*
n. 21, 22.
John Duke of
Lancaster
made Duke of
Aquitain.

[6] *Ib. n. 23.*
Edward, Son
to the Duke
of York made
Earl of
Rutland.
The Two
Arch-Bishops
and

[7] *Ib. n. 24.*
Clergy's Pro-
testation not
to assent to
any Law
made against
the Pope.

[8] *Rat. Parl.*
14 *Ric. II.*
n. 1.

A. D. 1391.
[9] *Ib. n. 12.*
The Dukes of
York and Glo-
cester desire
1000 l. a year
to be settled
on each of
them.

The King while he was at Reding issued his [2] Writs on the 6th of December for a Parliament to meet at Westminster on the Monday next after the Feast of St. Hillary, William of Wickham, Bishop of Winchester, was then Chancellor, who by the King's Command, in opening the Cause of Summons before all the Estates, declared the [3] King of full Age, and that he intended to Govern his People in Peace and Quiet, and to do Justice and Right to all Men, and that as well the Clergie as Layty should enjoy all their Liberties.

On the 20th of [4] January, and Fourth day of the Parliament, the Bishop of Winchester delivered the Seal to the King, and the Bishop of St. David's being Treasurer, delivered the Keys of the Exchequer to the King, and all the Lords of the Council prayed the King to be discharged, and that others might be put in their Places; When they were discharged, they required openly in Parliament, That if any Person could, he would Complain of any thing ill done by them; both Lords and Commons affirmed all things well done; Whereupon the King delivered the Seal again to the Bishop of Winchester, and the Keys of the Exchequer to the Bishop of St. David's, and received those to be his Counsellors that were before, together with his Uncles of Lancaster and Gloucester, and made Protestation, That for any thing then done, he would at Pleasure retain, or put out of their Offices those Counsellors.

In this Parliament [5] John Duke of Lancaster was made Duke of Aquitan by the King, with Consent of the Prelates, Lords Temporal and Commons, to hold the Dukedom of the King as of the King of France, saving only to him as to the King of France the Direct Dominion, Superiority, and Resort of the same Duchy: He there did Homage to the King, and Humbly and Heartily Thanked him for it, and the Honour he did him, and declared, That tho' he could not maintain the State of the Dukedom in time of War without the Aid of the King and Realm, yet he would do what he could to the utmost; The King told him, the Charges should be born, as between the Duke and his Council should be agreed; To which the Commons assented.

The King by assent of [6] Parliament created Edward, the Eldest Son of the Duke of York, Earl of Rutland, and gave to him during the Life of his Father 800 Marks issuing out of the Castle, Town and Dominion of Okeham in that Shire, and the Office of Sheriff.

The Arch-Bishops of Canterbury and York, for themselves and whole Clergy of their Provinces, made their Protestation in open Parliament, [7] they intended not, nor would assent to any Statute or Law to be made against the Pope's Authority, which at their Request was entered upon the Roll.

In the [8] Parliament on the Morrow of St. Martin, or 12th of November, in the Fourteenth of this King, the Bishop of Winchester Chancellor, declaring the Cause of Summons, took notice of the Truce with France, and that about Candlemas the King would send to make a final Peace.

The Duke of [9] York and Gloucester desire the King's Assittance of a Thousand Pounds a year to each, according to his Promise, in Tale special; He ordered the Justices to draw such Assurance, and commanded they might be readily paid.

And

And it is to be remembred, ([1] *Fait a Remember, &c.*) That the Prelates, Lords Temporal and Commons, prayed the King in full Parliament, That the Royalty and Prerogative of him and his Crown, might always be safe, and preserved, and that if any thing had been done or attempted contrary to them, it might be Redressed and Amended; and farther, That he should be as Free in his time, as any of his Noble Progenitors, Kings of England, were in their times; Which prayer seemed Honest and Reasonable to the King, and therefore granted it in all points.

The Judgment against [2] John of Northampton, late Major of London, Repealed upon the Petition of the Commons, and Oath made by the then Major, and all the Aldermen of London, That he was not guilty of the Treasons, &c. for which he was condemned.

These things done, the Lords and Commons [3] gave humble Thanks to the King for his good Government, and his Zeal shewn to them, and he gave them Thanks for the Grants to him made.

In the Parliament holden on the 2d of November, in the 15th of King Richard, the [4] Commons propound to the King, Monsieur de Guyen, (that is, the Duke of Lancaster) to go Treat with his Adversary of France about a Peace, and it was granted.

The Commons Petition the King, That no Native or [5] Villan, of Bishops, Abbats, or other Religious Persons, might purchase Lands in Fee; and, That no Villan might put his Son to School, whereby he might obtain Learning, and this for the maintenance and safety of the Honour of all the Freemen of England. To this it was Answered, *Le Roy sad visera*: The King will Advise, which was a Denial.

The Knights of Shires [6] Petition the King and Lords, That such Lords whose Villans went from them into Cities and Burghs, where they lived as Freemen under the protection of their Franchises, and were detained by the Inhabitants of those Places, might have power to enter such Places, and seize and bring away their Villanes. The Answer was the same with the foregoing.

According to the Request of the Commons the [7] Duke of Lancaster went into France to Treat of a final Peace, he was splendidly received at Amiens, by the King, and chief Nobility of that Kingdom, who met him there; The Issue of the Treaty was, That the Truce should continue for One year longer; for the Observation of which both Kings made Oath.

The King about this time wanted Money, and sent to the City of London to borrow a Thousand Pounds, who [8] denied to lend him it, and abused and beat a Lombard so grievously, that offered to lend it, as they near killed him; for this and other things, by advice of a great Council held at Nottingham, their Li-

[1] *Ib. n. 15.*
The Prelates,
Lords and
Commons
pray, That if
any thing had
been done a-
gainst this Pr-
erogative, it
might be re-
dressed.

[2] *Ib. n. 16.*
The judg-
ment against
John of North-
ampton re-
pealed.
[3] *Ib. n. 37.*
The Lords
and Commons
Thank the
King for his
Good Govern-
ment, &c.
[4] *Ibm.*
15 *Ric. II.*
n. 15.

A. D. 1391.
The Duke of
Lancaster sent
into France to
Treat of
Peace.

[5] *Ib. n. 39.*
The Com-
mons Petition
Villans may
not purchase
Land in fee,
nor send their
Sons to School.
The King's
Answer.

[6] *Ib. n. 51.*
The Knights
of Shires Pe-
tition Villans
may not have
the Privilege
of Cities and
Burghs.

The King's
Answer.
[7] *Walshing.*
2. 247. n. 10.
20. *Murray.*
f. 413.

The Truce
between Eng-
land and Fr.
continued for
a year longer.

[8] *Walshing.*
Col. 2740. n.
10. *Walshing.*
at 14-
p. n. 50. &c.
The City of
London deny to
lend the King
a Thousand
Pounds.
And almost
killed a Lam-
bard that lent
it him.

berties

Their Liberties seized.
The Major and Sheriffs imprisoned.
Their Liberties restored by the Mediation of the Duke of Gloucester.

The Earl of Arundel against the Duke of Lancaster.

[9] Rot. Parl. 17 Ric. II. n. 11.

A. D. 1393, 1394.

He asks the Duke's Pardon in Parliament.

[1] Ib. n. 16.
The King, Lords, &c. assent to a Peace to be made with France.

[2] Ib. n. 17.

Three Points too high for the Commons to give their Advice in.

* The Original in the Chapter House at Westminster.

berties were seized, and being convinced they had forfeited them, the Major and Sheriffs were sent to Prison, and Sir Edward Delyngton was made Guardian of the City; On the Assumption of the Virgin Mary, or 15th of August, the King with a great Train of the Nobility, with his Queen, went into the City, where he was most Honourably and Nobly Received, and Presented, both himself and Queen; and not long after, by the Mediation of Friends, especially the Duke of Gloucester, the Liberties of the City were Restored, with Power of choosing a Major as before.

In the Parlement holden on the Quindene of St. Hillary, in the Seventeenth of this King, the Earl of Arundel declared several things the King had done for the Duke of [9] Lancaster, that were against his Honour and Profit, but they were such as the King answered them all himself, and justified them; and he was by the King and Lords ordered to ask his Pardon in full Parlement, which was done.

The King, Lords, Knights of Honour, and Justices in this Parlement, [1] assented to a Peace, so as the King did not make Homage Liege, and saving also and always, the Liberty of his Person and the Crown of England, and of his Lieges of the same Kingdom; and that he and his Heirs might Resort and have Regrets to the Name, Title, and Right of the Crown and Kingdom of France, if the Peace should be broken by his Adversary and his Heirs; and also, That such Moderations and Modifications should be made, that no Confiscation (that is, seizure of the Duchy of Guyen) might happen. Knighton says, this was only a Truce for Four years and four months, as well by Sea as Land, Col. 2741. n. 20.

The King charged the Commons, to give their [2] Advice in this Matter; They Answer by a Schedule given in by the Hands of Mr. John Bussy their Speaker, wherein the said Articles of Peace between the King and his Adversary of France, were read, and partly understood by them, and they had considered Three Points: that were too high for them, upon which they dare not Treat or give Advice; to wit, Homage Liege, Sovereignty, and Resort, yet referring all, and giving their Consent (for the good of Peace) to what the Lords, Knights of Honour, and the Justices had consented to before, so as Homage should be done for, and have Relation to the Duchy of Guyen only, and in no wise to the Crown and Kingdom of England. What the Articles of this Peace were, it doth not appear upon the Parlement Roll.

But the next year, by Edward Earl of Rutland, Thomas Earl Marshall and of Nottingham, and Messire William Lescrop Commissioners for the King of England, and the Dukes of Berry, Burgundy, Orleans, and Bourbon, or any other Two or three of them, Commissioners for the King of France, * there was a Truce general by Sea and Land, agreed for 28 years, which was to begin at Michaelmas 1398, when the Truce at Leningham, and the prolongations of it were to end. During which Truce, all taking of Prisoners, Goods and Chattels, Fortified Towns, Fortresses, and other Places, all Pillagings, Robberies, Burnings, Demolishing Houses, and Walls, destroying Fruit Trees and others, and all other Feats of War, (& tout autre faits de Guerre) were to cease between the Kingdoms, Lands, and Seigneries on both Parts, and between the

the Kingdoms, Lands, Seigneries, and Subjects of their Friends, Allies, Aydants, and Adherents whatsoever: And that there should be freedom of Intercourse, Commerce, Trading and Merchandising between the People and Subjects of one Party and the other. In this Truce there is not any mention of Homage Liege, Sovereignty, or Resort: The Treaty, Agreement, and Articles thereof was Ratified by the King of France on the Eleventh of March 1395, and was afterwards Ratified by the King of England, and the Ratifications Exchanged in the year 1396, when on the Feast of St. Simon and Jude, or 28th of October, both Kings at an Interview not far from Calais, swore to the performance of them.

John Duke of [3] Guyen and Lancaster Steward of England, and Thomas Duke of Gloucester Constable of England, Petition the King and Lords for Judgment against Sir Thomas Talbot, and others not named, for Conspiring their Deaths, and raising Force to do it in the County of Chester; That they would Declare the Nature of the Offence, and ordain Punishment for it. The King was informed and advised, the Matter contained in the Bill or Petition was open and High Treason, and that it touched him and all the Realm; and he and all the Lords Judged and Declared it to be so. And because the Matter contained in the Bill of Complaint, was notorious and open known to the King and Lords, and all the States of Parlement, and thro' the whole Kingdom, and therefore it was ordered and awarded that Writs should issue returnable into the Kings-Bench, to take his Body; That Proclamation should be made for him to render himself to stand to the Law, if not he was to be holden for Convict, as attainted of Treason, and all who received him were to incur the same Pain and Forfeiture he ought to do.

If the [4] Suggestion of a Bill in Chancery was not true, the Chancellor had Power given him to award Damages at his Discretion. See Stat. at Large, 17 Ric. II. Cap. 6.

In the Eighteenth of his Reign the * King about Michaelmas, went with an Army into Ireland, to subdue the Irish, who were then in Rebellion, and with him went the Duke of Gloucester, the Earls of March, Nottingham, and Rutland. The Duke of York, Guardian of the Kingdom in his absence, * called a Parlement to meet Fifteen days after St. Hillary, to Consider of the Prosperous and Happy Government of Ireland, and to that purpose sent the Duke of Gloucester over into England, to procure Money from the Parlement; and the Lords and Commons * granted to the King a Tenth and Fifteenth for the Conquest of that Country; and in May next following, having settled that Nation, and left the Earl of March Deputy, returned into England.

In the Twentieth of King Richard, in the Parlement [5] holden on the Feast of St. Vincent, or 22d of January, the Commons had framed certain Articles in a Bill, as the King told the Lords he was informed, against his Royalty and Liberty, such as his Progenitors enjoyed, which he was Resolved to uphold and maintain; and Commanded the Lords Spiritual and Temporal to let the Commons know it; and Commanded the Duke of Lancaster to Charge Mr. John Bussy, the Speaker, upon his Allegiance, to tell who brought in the Bill. That which moved and troubled the King therein, was about the Expences of his House, and the Bishops and

D d d

Ladies

[3] Ib. 20, 21.
The Dukes of Lancaster and Gloucester pray Judgment against Sir Thomas Talbot and others, for Conspiring their Deaths.

[4] Ib. n. 52.
* Knighton's Col. 2742. n. 10.

Walsingham, f. 351. lin. 2.
The King went into Ireland with an Army.

Rot. Clause 18 Ric. II. M. 23. Dorl.
A Tenth and Fifteenth given.

Rot. Parl. 18 Ric. II. n. 6. A. D. 1395.

The King settled Ireland.

[5] Ib. 20R II. n. 14, 15, 16.
The Commons frame certain Articles against the King's Royalty and Liberty. The Speaker charged to tell who brought in that Bill.

[6] Ib. n. 16.
The Commons deliver the Bill to the Lords.

Thomas Haxey brought the Bill into the House of Commons.

The Commons Excuse and Submission.

[7] Ib. n. 17.
The King fully Excused them.

Thomas Haxey Judged a Traytor.

[8] Ib. n. 23.

[9] Item.
The Arch-Bishops and Bishops make Protestation, the King's Royalty ought to be preferred. They beg the Life, Body, and Custody of Thomas Haxey, which were granted them.

[11] Ib. n. 40.
and Stat. at Large,
20 Ric. II.
Cap. 6.
Sir Robert Belknap, &c.
called out of Ireland.

Ladies that frequented the Court. The Commons made their Excuse and Submission to the King in manner following.

On Saturday, the Morrow of the Feast of Candlemas, [6] the Lords Spiritual and Temporal were with the Commons, and shew them the Will and Command of the King, and they delivered the Bill to the Lords, and the Name of him that brought it to them, to wit, Thomas Haxey; Which Bill was afterwards delivered to the Clerk of the Crown by the Clerk of the Parliament by the King's Command, and presently after the Commons came before the King in Parliament by his Command, and there with all Humility and Obedience they could, shew great Grief, as appeared by their Countenances, for that the King had taken such *conceit* against them, Humbly praying the King, to hear and accept their Excuse; That it never was their Intent or Will to speak, shew, or do any thing which should be an Offence, or Displeasure to his Majesty, nor against his Royal Estate or Liberty, and especially about this Matter touching his Person and the Government of his House, or about the Lords and Ladies in his Court, nor of any other Matter that touched himself, knowing well that such things do not belong to them, but solely to the King himself, and his Ordering; and that their Intention was, for the great Affection they bare to the King as faithful Lieges, That the Lords might pray the King, to consider his Honourable Estate, and do concerning it what he pleased; And upon this the Commons submit themselves to the King's Will and Favour, humbly praying his Royal Majesty to have them Graciously Excused, being always ready to save his Royal Estate and Liberty, and to perform in Body and Goods as Loyal Lieges are bound, what shall be for the Honour and Safety of his Royal Majesty.

Whereupon [7] the Chancellor, by Command of the King, told the Commons, That upon his Royal Benignity, and Gracious Signoury, he had them fully Excused.

On Wednesday after Candlemas, Thomas Haxey, Cleric, was in Parliament Judged to [8] Death as a Traytor; and soon after Sentence, the Arch-Bishop of Canterbury, (Thomas Arundel) and all the other Prelates, came before the King in Parliament, with great Humility, and made full Protestation, That their intire and full Intention was, and always should be, That his Royal Estate and Royalty should be always saved and preserved without diminution, [9] (*Et maintenant apres de Juggement rendu devers Thomas Haxey Cleric en Parlement a la mort come traitour viendrent avant le Roy en Parlement ovek grant humilite Lereveque de Canterbris & touz les autres Prelates & firent plein protestation, que leur entier & plein intention nest & tout dis seraque le Royal Estate & Regalie du Roy soit tout dis savez & Gardez sanz Blemissement.*) And then they pray the King to give them the Life of Thomas Haxey, and the Custody of his Body, not as of right belonging to them, but of his special Grace. Both which the King granted.

The King by assent [1] of the Lords Spiritual and Temporal, and the Commons, of his Special Grace granted to Robert Belknap, John Holt, and William Burgh, Knights, Baniished into Ireland, that they might return into England, and practise Law there without impeachment, notwithstanding the Statute made in the Eleventh year of the King's Reign, saving always against them all the other Points contained in the Statute.

In

In the 21st of King Richard's Reign, [2] he summoned a Parliament to meet on the Monday after the Exaltation of Holy Crois, or 14th of September.

It was made into a [3] Statute this Parliament, That Holy Church, the Lords Spiritual and Temporal, and all Cities, Burghs, and other Commonalties of the Realm, should have and enjoy all their Liberties, and Franchises, as they had reasonably had and enjoyed them in the time of his Noble Progenitors Kings of England. For that several Judgments were heretofore undone, [4] because the Clergie were not present, the Commons prayed the King, they might appoint a general Proctor, who might have sufficient Authority to act for them.

The Two [5] Arch-Bishops, and the Clergie of both Provinces, constituted and appointed Sir Thomas Percy their Procurator, as by their Instrument doth appear.

The Commission and Statute made upon it in [6] the Eleventh year of this King, are repealed, and made void at the prayer of the Commons, as being made Traiterously, by constraint and compulsion, against the King's Will, his Royalty, Crown and Dignity, and it was Ordained and Established by the King, with the Assent of the Lords and Commons, That no such Commission, or the like, should be made, and that he that should endeavour, or procure any such to be made, or the like, in time to come, &c. being thereof duly Convict, should suffer as a Traytor.

The Pardons granted to the Duke of [7] Gloucester, and Earls of Arundel, and Warwick, in the Parliament of the Eleventh of this King, are made void, as done by force only against the King's Will, as also the Pardon granted to the Earl of Arundel at Windsor, in the 17th year of this King, is revoked and annulled.

On the * 20th of September, the Commons made Protestation to the King in full Parliament, That tho they would shew and declare certain Matters and Articles they had then Advised of, and Agreed amongst themselves, nevertheless it was, and is their Intent and Will, by Leave of the King, to accuse and impeach Person or Persons as often as they should think fit, during the time of this Parliament; (*me nit meins il feust & est leur intent & volonte par conge de nostre Seigneur le Roy d'accuser & empescher person ou persons a tants de foiz come leur sembleroit affair, durant le temps de cest present Parlement*) And they prayed the King he would please to accept their Protestation, and that it might be entered of Record on the Parliament Roll, which the King granted, and commanded it to be done.

Then on the [8] same day, before the King in full Parliament, they accused and impeached Thomas Arundel Arch-Bishop of Canterbury of High Treason, for that he being Chief Officer of the King, (to wit) his Chancellor (when he was Bishop of Ely) was Traiterously aiding, procuring, and advising in making a Commission directed to Thomas Duke of Gloucester, Richard Earl of Arundell, and others, in the Tenth year of the Reign of the King, and made and procured himself as chief Officer of the Realm to be put into it, to have Power with the other Commissioners to put it in Execution; Which Commission was made in prejudice of the King, and openly against his Royalty, his Crown and Dignity, and that the said Thomas put in Use and Execution the said Commission.

D d d 2

Also,

A Parlement

summoned.

[2] Clause

21 Ric. II.

Part 1. M. 27.

Def.

[3] Stat. at

Large, 21 Ric. II.

Cap. 1.

Holy Church,

the Lords, and

all Commonal-

ties, to enjoy

their Liber-

ties and Fran-

chises.

[4] Rot. Parl.

21 Ric. II.

n. 9.

[5] Ib. n. 10.

Sir Thomas

Percy general

Procurator

for the Cler-

gy.

[6] Stat. at

Large,

21 Ric. II.

Cap. 2. This

agrees with

the Record.

The Commis-

sion and Sta-

tute made in

the 11th year

of the King

repealed.

[7] Rot. Parl.

21 Ric. II.

n. 12, 13.

The Pardons

to the Duke

of Gloucester,

Earls of Ar-

undell, and

Warwick,

made void.

[8] Ib. n. 14.

The Com-

mons declare,

with the

King's Lewes,

their intent

was to accuse

Persons dur-

ing the time

of this Parle-

ment.

They made the

King's Lewes

[8] Ib. n. 15.

The Arch-

Bishop Can-

terbury accus-

ed of Treas-

on.

[9] Itm.

Also, for that [9] the said *Thomas Arch-Bishop*, in the Eleventh year of the King, procured and advised the Duke of Gloucester, and the Earls of Warwick and Arundel, to take upon them Royal Power, and to Arrest the King's Lieges, *Simon Burley*, and *James Barners*, and Judge them to Death contrary to the Will and Assent of the King; and upon this the said Commons pray the King, the said *Thomas* may be put in safeguard in an honest manner.

[1] Itm.

And the King [1] said, because the Accusation and Empeachment touched so high a Person and Peer of the Realm, he would be advised.

[2] Itm. 16.

The Commons pray Judgment against the Arch-Bishop of Canterbury.

Also the Twenty first day of [2] September next following, the Commons prayed the King, That as they had Empeached and Accused the Arch-Bishop of Canterbury, that he had assented, or was in the Contrivance to cause the Commission to be made (*gil fest d'assent de fair la dit Commission*) on the Nineteenth of November, in the Tenth year of the King, and of the Execution of the same, which was expressly against the King, his State, and Dignity, That he would please to Ordain such Judgment against him as the Case required; Hereupon the King caused to be Recorded in Parlement, That the Arch-Bishop was before him in the presence of certain Lords, and confessed, (*que en la use de la dit Commission il soy misprist, & luy mist en la Grace du Roy.*) That he was mistaken or erred in the use of the Commission, and put himself under the King's Grace.

[3] Itm.

He was adjudged Traytor, and to be Banished.

Whereupon the [3] King and all the Lords Temporal, and *Monseur Thomas Percy*, having sufficient Power from the Prelates and Clergie, as appeared upon Record, in the said Parlement, adjudged and declared the Article, which the Arch-Bishop confessed to be Treason, and touched the King himself, and also judged and declared him a Traytor; and thereupon it was awarded in Parlement, That he should be Banished out of England, his Temporalities seized, and his Goods and Chattels forfeited to the King, who was to appoint the time of his Exile.

[4] Itm. 17.

And then the King [4] assigned him time of Passage from the Eve of St. Michael until Six weeks next following, from the Port of Dover into France; and further, That he should forfeit all his Lands, Tenements and Possessions which he had in Fee Simple, by Descent, Purchase, or otherwise, at the day of the Treason committed or after, or that any one held to his use, to the King and his Heirs for ever.

[5] Itm. 26.

The Commons interceed with the King for his Favour toward such as were named in the [5] Commission, and made Commissioners, but neither procured it, consented to it, or acted in the Execution of it; Three whereof were alive, the Duke of York, the Bishop of Winchester, and Richard Lescrop Knight, and Four dead, William late Arch-Bishop of Canterbury, Alexander late Arch-Bishop of York, Thomas late Bishop of Excester, and Nicholas late Abbat of Waltham, whose Loyalty and Innocency was acknowledged in Parlement; The Declaration whereof was made a Statute by the King, with the Advice and Assent of the Lords, at the Prayer of the Commons.

They

They further [6] humbly beseech the King, That he would please to consider how at the time when *Thomas Duke of Gloucester*, *Richard Earl of Arundel*, and *Thomas Earl of Warwick*, did rise (*Joy leverent*) and march against their Allegiance and the King, the said Duke and Earls would have come and marched to have searched out the King, if he could be found in England, and to have killed a very great Number of his Lieges; and to have accomplished their evil Purpose and Intent, if they had not been disturbed by the Honourable Persons of the King's Blood, *Henry of Lancaster*, Earl of Derby, and *Thomas de Mowbray Earl of Nottingham*, conceiving and understanding the Actions of the Duke and Earls were notoriously against their Legiance, and the Estate of the King; and therefore willing to do their Duty to him, departed from their Company, and came to the Honourable Presence of the King. It would please him, the Commons having specially recommended the Persons of the Earls of Derby and Nottingham to him, openly to declare in this Parlement, their Estate, Name, and Fame, and the Loyal Behaviour of them (*leur Estate, & le Noun, & le Fame, & le Loyal Port de eux.*) Whereupon the King sitting in his Royal Dignity in Parlement, answered, This matter was better known to him than any other; and witnessed and declared the good Behaviour, Loyalty and Fame of the Two Earls, and held them for Loyal Lieges, and that they should be reported for such amongst all his Lieges through the Realm; and that they should be excused without Impeachment, Molestation, or Grievance for the Cause aforesaid in any time to come. And further, That the King, by Assent and Advice of all the Lords in Parlement, and at the Prayer of the Commons, Ordained and Established, That this Declaration and Grant should have the force of, and be holden for a Statute.

That all Judgments, Ordinances, Declarations, and Establishments of this Parlement shall have the force of Statutes.

On Michaelmas-Day, being Saturday, [7] the King in Parlement Created *Henry Earl of Derby Duke of Hereford*, *Edward Earl of Roteland Duke of Albemarle*, *Thomas Holland Earl of Kent Duke of Surrey*, *John Holland Earl of Huntington Duke of Excester*, *Thomas Mowbray Earl of Nottingham Duke of Norfolk*. The same Day *John Beaufort Earl of Somerset* was Created *Marquesi of Dorset*, *Thomas de Spenser Earl of Gloucester*, *Ralph Nevill Earl of Westmerland*, *Thomas Percy Earl of Worcester*, and *William le Scrop Earl of Wiltshire*.

On the same Day the King [8] Adjourned the Parlement unto the 15th of St. Hillary, or 27 of January next coming, to *Shrewsbury*, all things to remain in the same Condition they were, to be there finished and determined.

The next Day being Sunday, [9] the Lords Spiritual and Temporal, after Mass Celebrated in the Abby-Church at Westminster, upon the Altar, before the Shrine of St. Edward, made Oath in the presence of the King, in the Form following. The Prelates first, saving the Honesty of their Estate (*Javant L'onesté de leur Estat*) That is to say,

[6] Itm. 27.

The Commons move the King in behalf of the Earls of Derby and Nottingham.

The King's Kindness and Favour to them.

[7] Itm. 35.

Henry Earl of Derby created Duke of Hereford. Several others created Dukes and Earls.

[8] Itm. 36.

The Parlement adjourned to Shrewsbury.

[9] Itm. 37.

The Lords Spiritual and Temporal swear before the King.

The

The Bishops
first.

The Arch-Bishop of York,
The Bishop of London,
The Bishop of Winchester,
The Bishop of Ely,
The Bishop of Durham,
The Bishop of Salisbury,
The Bishop of Exeter,
The Bishop of Bangor,
The Bishop of Worcester,
The Bishop of Hereford,

The Bishop of Chichester,
The Bishop of St. Asaph,
The Bishop of Carlisle,
The Bishop of Landaf,
The Prior of St. John of Jerusalem,
The Abbat of Westminster,
The Abbat of Canterbury,
The Abbat of St. Albans,
The Prior of Canterbury.

The O A T H.

[1] Ibm.n.38.
& Append.
n.109.

You shall [1] Swear, That well and truly you shall Hold, Sustain, and Maintain, without Fraud or Deceit, all the Statutes, Establishments, Ordinances, or Judgments made or given in this Parlement, without doing any thing to the contrary of any of them, or the Dependencies on, or Parcel of them; nor that you will ever Repeal, Revoke, Cassate, make Void, Reverse, or Adnull, nor ever suffer them to be Repealed, Revoked, Cassated, made Void, Reversed, or Adnull'd, so long as you live; saving to the King his Royalty, Liberty, and the Right of his Crown.

[2] Ibm.n.39.
The Lords
Temporal
take the same
Oath.

And so soon as they had Sworn, the Lords [2] Temporal, in the same Place, in the Presence of the King, made the same Oath; that is to say,

The Duke of Guyen and Lancaster,
The Duke of York,
The Duke of Hereford,
The Duke of Albemarle,
The Duke of Surrey,
The Duke of Exeter,
The Duke of Norfolk,
The Marquess of Dorset,
The Earl of Oxford,
The Earl of Stafford,
The Earl of Northumberland,
The Earl of Salisbury,
The Earl of Gloucester,
The Earl of Westmerland,
The Earl of Worcester,
The Earl of Wilts,
The Lord de Camoys,
The Lord de Bourghier,
The Lord de Powys,
The Lord Fitz-Walters,

The Lord de Roos,
The Lord de Harrington,
The Lord de Burnell,
The Lord de Berkely,
The Lord de Darcy,
The Lord de Willoughby,
The Lord Grey of Codnore,
The Lord Grey of Ruthin,
The Lord de Scales,
The Lord de St. Amand,
The Lord de Furnivall,
The Lord de Ferrers,
The Lord de Seymour,
The Lord de Lovell,
The Lord de Bardolph,
The Lord de Morley,
William Beaumont, Lord of Burgavenny,
Ralph de Cromwell,
Ralph de Lumly,
Philip le Dispenfer,

And did Swear further in these Words :

[3] Ibm.n.40.
& Append.
n.110.

[3] You shall Swear, That in time to come you shall never suffer any Man living to do any thing contrary to the Statutes, Establishments, Ordi-

Ordinances, and Judgments, made or given in this present Parlement, nor to any Dependencies on, or Parcel of them: And if any one shall do so, and be duly Convicted, you shall use your entire Power and Diligence, without Fraud or Deceit, to prosecute him before the King and his Heirs Kings of England, and cause him to have Execution as an High and False Traitor to the King and Kingdom; saving to the King his Regalie or Royalty, Liberty and Right of his Crown.

Then the King asked the Knights of Shires there present for the Parlement. If they [4] would hold and keep the same Oath? Who promised with loud Voices to keep it, holding up their Hands on high, as a Sign of their Affirmance of their said Oaths.

And immediately after, Monsieur Thomas de Percy [5] made the same Oath the Lords Temporal had made, for and in the Name of the Clergy, as their Procurator General, and by Authority above-said.

This done, the King, the Prelates, and Lords Temporal [6] went from the Shrine of St. Edward, and came before the High Altar of the Church, and there for the Establishment and Affirmance of these things, the Prelates and Ordinaries of the Provinces of Canterbury and York, with one Assent did pronounce the Sentence of the greater Excommunication, against all and every of the Subjects of both Provinces, that openly or privately, by Deed, Counsel, or Advice, should contravene or do against any of the fore-said Premises, the King's Royalty and Prerogative in all things saved.

According to the Adjournment [7] the Parlement met at Shrewsbury on Monday after the Quinden of St. Hillary, when the Chancellor told them, That at first this Parlement was Summoned for the Honour of God, and that Holy Church might enjoy all its Liberties and Franchises; and that all the Lords, Knights, Citizens, and Burgeses, should have and enjoy all their Liberties and Franchises, as they reasonably enjoyed and used them in former times. [8] Also that there should not be more Governours in the Kingdom than One; and that the Laws might be duly obeyed and executed, as it was more fully contained in the Beginning and Pronunciation of the Cause of this Parlement.

Also the [9] Chancellor shewed to the Commons, the King would be informed by them how the Charge should be born for the Defence of England, Ireland, Guyen, the March of Calais, and also the March of Scotland, in case they kept not the Truce made for four Years, which was to end at Michaelmas next coming.

The Lords Appellants in this Parlement, [1] Edward Duke of Albemarle, Thomas Duke of Surrey, John Duke of Exeter, John Marquess of Dorset, John Earl of Salisbury, Thomas Earl of Gloucester, and William Earl of Wiltshire, Prayed the King, and shewed that certain Lords Convicted and Attainted, the Duke of Gloucester, the Earls of Arundel and Warwick, by Coertion and Compulsion made him Summon a Parlement at Westminster, on the morrow after Candlemas, in the 11th Year of his Reign; and then reciting what had been done that Year, and particularly the Questions and Answers put to, and made by Sir Robert Tresilian, the other Judges,

The Addition
Oath of
the Lords
Temporal.

[4] Ibm.n.41.
The Knights
of Shires af-
firm the said
Oaths.

[5] Ibm.n.42,
43.
Sir Tho. Percy
made the same
Oath for the
Clergy.

[6] Ibm.
The great Ex-
communication
pronounced
against
any one
should do con-
trary to the
Premises.

[7] Ibm.n.44.
21 Ric. II.
A.D. 1398.
The Parle-
ment met at
Shrewsbury.

[8] Ibm.

[9] Ibm.
The King de-
sired to know
how the
Charge for
the Defence
of the War
should be
born.

[1] Ibm.n.47.
8c Stat. at
Large, at Ric
II. c. 12.
The Lords
Appellants in
this Parle-
ment,
Moved the
Parlement in
the 11th of
this King,
might be re-
voked.

Judges, and King's Serjeant at Nottingham, that the whole Parliament might be revoked, the Commons joined with them in the same Prayer, to which the Lords Spiritual and Temporal Affented.

[2] Ibid. The Answers made to the Questions propounded at Nottingham, judged good and lawful. The Judges, Justices, and Serjeants of that Opinion.

After the Reading the [2] Questions and Answers, as well before the King and Lords, as Commons, all the Estates of Parliament were asked, What they thought of the Answers? And they said, They thought the Justices made and gave their Answers duly and lawfully, as good and lawful Liege People of the King ought to do. And Sir Thomas Skelton, Learned in the Law, William Hankeford, and William Brencbly, the King's Serjeants, said, The Answers were good and lawful, and that if the same Questions had been put to them, they would have given the same. William Thirning, Chief Justice of the Common Bench, said, The Declaration of Treason not declared, belonged to the Parliament; but if he were a Lord or Peer of Parliament, if he had been asked, he would have said in the same manner. In like manner said William Ribbel, Chief Justice of the Common Pleas; and Sir Walter Clopton, Chief Justice of the King's Bench said the same thing. Wherefore the Answers were judged and affirmed to be good and sufficient in that Parliament.

[3] Ibid. The Parliament as above annulled.

Whereupon by Assent of the Lords Spiritual and Temporal, the Prelates of the Clergy, and Commons, and by Advice of the Justices and Serjeants aforesaid there being, it was [3] Awarded and Judged, Ordained and Stabilished, That the Parliament holden in the said 11th Year, shall be clearly annulled, and holden for none, as a thing made without Authority, and against the Will and Liberty of the King, and the Right of his Crown; and that all the Judgments, Statutes, and Ordinances made in the same, with all things depending upon them, shall be revoked and annulled, reversed and repealed, and holden for none; and that all Lands, Tenements, Fees, Advowsons, and all other Possessions seized as forfeit by colour of the said Judgments, shall be restored and delivered to them which were judged or put out, or to their Heirs, and to them that have in other manner Cause of Action, or Title of Right, with all manner of Liberties or Franchises as they had at any time, with Restitution of Goods and Chattels.

[4] Ibid. n. 51. The Commons desire, that the greatest Security that can be, may be given, for not undoing what was done in this Parliament.

On Wednesday the third Day of this Meeting, [4] John Bussy the Speaker alledged, That before that time, many Ordinances and Statutes made in divers Parliaments, had been reversed by diversity of Opinions, and other Reasons and Subtilties; and on behalf of the Commons prayed the King, That the greatest Security that could be given, might be taken for the not undoing the Ordinances and Judgments made in this Parliament. Whereupon the King charged all the Estates in Parliament to give them their Advice for the best and most firm Security in this case. The Lords Spiritual and Temporal answered, That they had sworn before to hold and keep the said Judgments, Establishments, and Statutes, which they would maintain with all their Power, as much as in them was. The King also demanded of the Justices and Serjeants, if they knew any other more secure way for the perpetual keeping and observing of the Ordinances and Judgments, &c. Who answered, The greatest Security that could be, was established by Parliament. And then the Lords Temporal and Spiritual

* This Salvo was not in their Oaths.

ritual renewed their Oaths before the King in Parliament upon the Cross of Canterbury; and also the greatest part of the Commons held up their hands in Affirmance of their Oaths; and likewise the Preceptors of the Clergy, and the Knights being about the King. And then after Proclamation had been made in audience of all the People, To know if they would [5] Consent to this manner of Security? To which they answered, lifting their Hands on high, and crying with loud Voices, It pleased them well, and fully consented thereunto.

Thomas le Despenser Petitions * the King in full Parliament, wherein he recites the Petitions of Hugh the Father, and Hugh the Son, to the King in full Parliament holden at York three Weeks after Easter, in the 15th Year of Edward II.

In which Parliament the Exile and Disberison of both were annulled for these Reasons: First, They were not Appealed, or called to Answer, nor due Process made against them according to Law. Secondly, Because the Prelates who were Peers of the Realm (& que les Prelatz que estoient Piers du Roialme) did not Consent to the Exile and Disberison (A dit agard de Disberison & Exile ne assenteront point.) Thirdly, Because it was against Magna Charta, that any Man should be Exiled or Tried, or otherways Destroyed, without Judgment of his Peers. This Adnullation was afterwards made void in 1 Edw. III. They pray that Statute may be made void; and it was made void, and all the Articles and things contained in it, for the Reasons abovesaid.

Et sur ce le Roy fist examiner diligement les Prelatz, Ducs, Barons, & Communes Sammones a son Parlement, what they thought, whether the Statute of Edward III. was defensible? Who upon good Deliberation said it was, for the Causes before expressed; also considering that the Repeal made by King Edward III. was at such time as his Father Edward II. was living, being very King, and in Prison, that he could not resist the same.

The Record of this matter is long; and also the Proceedings against the Spencers in the 14th and 15th of Edward II. and Statute the first of Edward III. are recited, which see in those Years.

On [7] Thursday the last Day of the Parliament, the Duke of Hereford in full Parliament humbly kneeled before the King, and said to him, My Liege Lord, I know well that many Riots, Disturbances, and evil Deeds have been made and done within your Kingdoms, to the Offence of you and your Royal Estate, in the which I myself was present amongst others; not with an ill Intent or Purpose to offend you, not knowing then it was any Fault or Offence against you. But, Sir, since I now know well, and confess my Offences and evil Deeds in so doing, I cry you Mercy, and beg your Pardon. Whereupon the King graciously accepted the humble Prayers and Confession of the Duke, and granted him Pardon in full Parliament, for what he had done in the things abovesaid, and what belonged to him for the same. And further, the King granted him to be his Good Lord: And this he declared to all the Estates in Parliament, how he had given him full Pardon for the Matters abovesaid.

Lords Spiritual and Temporal renew their Oaths.

[5] Ibid. The People Consent to these things.

* Ib. n. 55. to the end of n. 66. The Repeal of the Judgments against the Despenser, 14th & 15th of Ed. II. confirmed, and the Reverse of that Appeal in the 1st of Ed. III. repealed.

[7] Ibid. n. 57. The Duke of Hereford's Submission and Confession to the King on his Knees. He begs pardon.

The King's Mercy and Pardon to him.

[8] Ibm. n. 75. The Subsidy of Wooll, &c., granted to the King for Life, with a xth and half and xvth and half.

[9] Ibm. n. 76. Out of which the Commons pray the Subsidies of Ratcot-bridge, &c. may have 3 or 4000 Marks.

[1] Ibm. n. 77. & Stat. at Large, 21 Ric. II. c. 15.

A General Pardon, [-] Ibm. n. 78. Upon Condemnation.

[5] Ibm. n. 74. & 80. & Stat. at Large, 21 Ric. II. c. 16. A.D. 1398. Certain Persons appointed to determine all matters undispached this Parliament,

And all other matters, having the whole Power of Parliament deputed to them.

The Commons on the same Day by [8] Assent of the Lords Spiritual and Temporal, granted to the King the Subsidy of Wooll, Leather, and Woollfells for his Life, and one 10th and 15th, and half a 10th and 15th.

Upon which Grants, [9] the Commons prayed the King to bestow 3 or 4000 Marks on those that suffered at Ratcot-bridge, and to pay the Lords Appellants their Expences.

And then the same Day follows a [1] General Pardon, for all things done before that Day, which was Thursday, as above; the last of January, and last Day of Parlement; provided that they who rode and gathered themselves forcibly against the King, in the 11th Year of his Reign, with the Lords then Convoit and Judged, should have no Benefit of the Pardon, if they Sued not forth their Charters between that and Midsummer.

Upon the Grant of this Pardon, [2] the King by his own Mouth declared, That if the Lords and Commons, which in time to come shall Sit in Parlement, should lett or disturb him in the Collection of the Subsidy of Wooll, Leather, and Woollfells, to granted as above, it should be void.

Also the same [3] Thursday (the last Day of the Parlement) the Commons prayed the King, That whereas they had before them divers Petitions, as well for special Persons as others, not Read or Answered; and also many other Matters and Things had been moved in the Presence of the King, which for shortness of time could not well be determined; It would please the King (que pleroit au Roy, &c.) to commit full Power to certain Lords and others whom he pleased; to Examin, Answer, and Dispatch the Petitions, Matters, and Things above said, and all Dependencies on them. To which Prayer the King Assented, and thereupon by Authority and Assent of Parlement, Ordained and Assigned John Duke of Lancaster, Edmond Duke of York, Edmond Duke of Albemarle, Thomas Duke of Surrey, John Duke of Excester, John Marquis of Dorset, Roger Earl of March, John Earl of Salisbury, Henry Earl of Northumberland, Thomas Earl of Gloucester, Thomas Earl of Winchester, and William Earl of Wiltshire, or Six of them; John Hussy, Henry Green, John Russell, Henry Chelmsfrike, Robert Tey, and John Golofre, Knights, coming for the Commons of the Kingdom to that Parlement, or Three of them, shall Examin, Answer, and fully Determin all the said Petitions, and the Contents of them, (come toutz autre Matiers & Choses movez en Presence du Roy, &c.) as all other Matters and Things moved in the Presence of the King, and all other Dependencies upon them not Determined, as they shall think best by their Good Advice and Discretion in this behalf, by Authority of the said Parlement: And then it was Dissolved.

On Wednesday the 30th of January, and Day before the Parlement ended, the Duke of Hereford accused the Duke of Norfolk of Words, &c. spoken against the King's Person, as will more fully appear in the Pleas of the Crown of this Parlement.

Cn

On the first of August this Year at Nottingham, [4] before the King sitting with his Crown on, in the Great Hall of the Castle there, Edward Earl of Rutland, Thomas Earl of Kent, John Earl of Huntington, Thomas Earl of Nottingham, John Earl of Somerset, John Earl of Salisbury, Thomas Lord Despenser, and William le Scrop the King's Chamberlain, brought a Bill of Appeal of Treason, against Thomas Duke of Gloucester, Richard Earl of Arundel, and Thomas Earl of Warwick. [5] The Bill having been read, by Advice of the Lords and those of his Council about the King, they had Day given them to the Parlement, which was to begin on the Monday next after the Exaltation of Holy Cross, or 14th of September, which was that Year on the Friday; so as the Parlement began the 17th of that Month.

First, the Bill [6] sets forth, That the Duke of Gloucester and Earl of Arundel, desigining to accroach and have the Government of his Royal Person and Kingdom, his Liberties and all his Dignities, as well within the Kingdom as without, when the Parlement sate at Westminster in the 10th Year of his Reign, sent a Peer of the Land to him, who on their Behalf and by their Command told him, That if he would not Consent to make to Them, and Others they should Name, such a Commission, whereby they might have the Government, as above, he should be in Danger of his Life; and the Lords and Commons of Parlement would depart without his Leave; and then he should see in what a strait Condition he would be in. So that by their Power, and for Fear, he granted such a Commission as they desired. And then follows the Commission Dated at Westminster, Nov. 19. in the 10 of his Reign; by virtue whereof the Commissioners took the Government upon them.

Also, [7] the Duke and Earl of Arundel, to accomplish their Traiterous Purpose, and to have your Person ordered as they pleased, and the Government of your whole State, Laws, Majesty, and Dignity, prevailed with Thomas Earl of Warwick and Thomas Mortimer to join with them in their Traiterous Design; who by Agreement, as Traitors to the King and Kingdom, all met and assembled on the 13th of November, in the 11th Year of your Reign, at Haringay in Middlesex, with a great Number of People Armed and Arrayed: And made divers of your Liege People, in several Parts of your Realm, to rise, and march with them against you, contrary to their Legiance: And would not come before your Presence, until they were secured by your Oath they might come and return safely; which notwithstanding, they all came before you in your Palace at Westminster, with great Force of Armed Men, and traiterously Constrained you to take them into your safe Protection against your Will.

Also, [8] the Duke, the Earls of Arundel and Warwick, and Thomas Mortimer, continuing their Traiterous Purpose, by Force of People, did take and imprison divers of your Liege People, and amongst others Sir Simon Burley, and brought him to your Parlement held on the morrow of the Purification, in the 11th of your Reign, and there suggested divers Points of Crime and Treason against him. And the Advice of every Lord then present was asked, concerning the Crimes of the said Simon; and after-

[4] Pleas of the Crown, 21 Ric. II. o. the Parlement Roll. The Duke of Gloucester and Earl of Arundel appealed of Treason. [5] Ibm.

[6] Ibm. The Effect of the Bill of Appeal, and the Articles against them.

[7] Ibm.

[8] Ibm.

afterwards the Duke and Earls would know your Advice or Opinion, (*voloint savoir vostre avis*) and you answered plainly, He was not Guilty in any Point objected against him. And after that, the Duke and Earls caused you to come into a secret Place at *Westminster*, and shew you the Points of the Crimes above said. To whom you then answered, The said *Simon* was not any ways Guilty of any of those Points. And there they took upon them traiterously to have you constrained to have consented to the Judgment they designed against him; and you would not consent to any Judgment to be given against the said *Simon*. Yet nevertheless, the said Duke and Earls took upon them Royal Power, in Prejudice of you, and in Derogation of your Crown, and without your Assent, and contrary to your Will, in your Absence, and in the Absence of many other Peers of Parliament, without their Assent, and against their Wills, awarded the said *Simon* should be Drawn, Hanged, and Decollated; and thereupon they caused his Head to be struck off traiterously, against your Peace, Crown, Majesty, and Dignity.

[9] *Ibm.*

Also, [9] the foresaid Duke, Earls, and *Thomas Mortimer*, continuing their Malicious, False and Traiterous Purpose and Force, at *Huntington*, on Thursday after the Feast of *St. Nicholas* (or 6th of December) in the said 11th Year, Traiterously agreed and intended to have gone with their Force to any Place of the Kingdom where they might have found you, to have surrendered to you their Homage Liege, and to have Deposed you; and this they would have done, had they not been hindered by *Henry de Lancaster Earl of Derby*, and *Thomas Mowbray Earl of Nottingham*. And the Duke and Earls continuing their Traiterous Intention and Force, by Agreement between them, caused the Records in your Treasury, of the Time of your Great Grandfather King *Edward*, to be searched, how he Demised himself of his Crown (or Quitted his Crown) and they shew to you in Writing the Causes of the Demise of his Crown, in your Palace at *Westminster*, in the time of Parliament, in the 11th Year (*comment vostre dit besail soy demyst de sa Coroun, & monstrent en escript a vous tres redoute Sr. les causes del demys de sa Coroun deinz vostre Royal Palays de Westminster a dit Parlement lan unziesme*.) And they said fallily and traiterously, That they had Cause sufficient to Depose you, but for the Reverence they had for your most Noble Grandfather and most Noble Father: And said also, That in hopes of your better Government, they would suffer you to continue in your Royal Estate and Regality.

[1] *Ibm.*

Which [1] Treasons fo imagined (or contrived) done and perpetrated, by the foresaid Duke, Earls, and *Thomas Mortimer*, against your Royal Person, Estate, Majesty, and Dignity, as is above declared; We Appellants (there named) your Loyal Lieges, have been and are ready to prove against the said Duke, the Earls of *Arundel* and *Warwic*, and *Thomas Mortimer*, as you, most Dread Lord, and this High and Honourable Court your Parliament shall Order. Thus far the Articles of the General Appeal against these Four Persons.

Which

Which having been read, [2] the Appellants prayed the King the Appeled might be brought before him in Parliament to make their Answer: And accordingly *Ralph Lord Nevill Constable of the Tower* there present, had Order to bring before the Parliament *Richard Earl of Arundel*, then his Prisoner; and did so on the 21st of September. On the fourth Day of the Parliament, when by Command of the King and the Peers, the Duke of *Lancaster Steward of England*, told him, That he was Appealed of divers High Treasons; and the Appeal having been read to him, his Answer, That he had a General Pardon in the Parliament, holden in the 11th of the King's Reign, and a Charter of Pardon made to him within six Years, and prayed the Allowance of them. To whom it was said by the Duke of *Lancaster*, by Command of the King, and Advice of all the Peers of Parliament, That the Pardon made in the 11th Year, was made by constraint upon the King, by the Duke, Earls, and others of their Party, accroaching to themselves Royal Power, in Prejudice of the King, his Royal Estate, his Crown and Dignity: And that the Charter of Pardon was made in Deceit of the King, and expressly against him, his Royalty (*Ja Regalie*) and Dignity; wherefore the said Pardon and Charter, by Assent of the King and all Estates of Parliament, upon the Request of the Commons, had been in this Parliament Repeled and made Void. And then the Earl was asked if he would say any other thing; and *Sir Walter Clopton Chief Justice of the King's Bench*, by the King's Command, declared to him the Law, and the Punishment he must undergo, if he said nothing else; and told him if he did not plead further, he would be Convicted and Attainted of all the Matters objected against him. Notwithstanding this, and the Repeal of the Charter and Pardon, he demanded the Allowance of them. The Appellants in their proper Persons prayed the King it would please him to give Judgment upon him, as Convicted of all the Points he was Appealed. Whereupon the Duke of *Lancaster*, by Command of the King and all the Lords Temporal, and *Sir Thomas Percy* having Power sufficient from the Prelates and Clergy, as appeared by Record in this Parliament, Awarded the Earl of *Arundel* Culpable and Convicted of all the Points of which he was appealed, and adjudged him Traitor to the King and Realm; and that he should be Drawn, Hanged, Headed, and Quartered; and because the Treasons were so high as to have surrendered their Homage Liege, and Deposed the King, and the Levying of War having been so notorious, the said Duke of *Lancaster*, by Command of the King, the Lords Temporal, and *Monsieur Thomas Percy*, having Power as above, by Assent of the King, Awarded, That all the Castles, Mannors, Lands, Tenements, Reversions, Fees, Advowsons, and every other manner of Inheritance, as well in Fee-tails as Fee-simple, which were the Earl of *Arundel's* on the 19th of November, in the 10th Year of the King, or afterwards; and also all the Lands and Tenements of which other Persons were infeofed to his Use the said 19th of November, or afterwards, should be forfeit to the King and his Heirs; and also all his Goods and Chattels should be forfeited to the King, who pardoned the Execution of his Judgment to be Drawn, Hanged, and Quartered, but was Beheaded near the Tower of London on the same Day. The King and Lords, as well Spiritual and Temporal, would not, nor was it their Intention,

[2] *Ibm.*

The Trial of the Earl of Arundel.

His Plea.

Over-ruled.

His Judgment.

The Aggravation of his Treasons.

tion, that the *Lands*, and *Tenements*, *Fees*, *Advowsons*, *Reversions*, or any other *Inheritance* the said *Earl of Arundel* was in-
ferred to the use of another, by reason of this Judgment should in
any manner be forfeit.

On the same day the *Earl of Arundel* was [3] brought into
Parlement, Tried and Convicted, the King directing his Warrant
to *Thomas Earl Marshall Captain of the Town of Calais*, and to his
Lieutenant, That he should bring the *Body of Thomas Duke of*
Glocester in his Custody, with all speed he could, to Answer to di-
vers Articles of Treason in Parlement, according to the Law and Cu-
stom used in England, objected against him by the Appellants; and
to do further, and receive what should be ordered by him and
his Council concerning him in Parlement. Dated at Westminster
the 21st of September, in the 21st year of his Reign, by the King
and Council in Parlement.

The [4] Answer of the *Earl Marshall* was, That he could not
bring him before the King and his Council in that present Parle-
ment, for that he being in his Custody in the King's Prison at
Calais died there. This Return was made September 24.

Upon [5] Reading of this Writ and Return in Parlement, the
Appellants in their proper Persons prayed the King, That the *Duke*
of Glocester might be declared *Traitor* and *Enemy* to him, as having
levied War in the Kingdom against his Person, contrary to his Li-
geance, and that all his *Lands*, *Tenements*, *Goods*, and *Chattels*,
as they ought in this Case, notwithstanding his Death might be for-
feit; Whereupon the Commons also of this Parlement prayed the
King and Lords, That it being notoriously known to the King
and all the Estates of the present Parlement, and to all the Kingdom,
that the *Duke* and others of his Party assembled at *Haringay* in the
County of *Middlesex*, with a great number of People Armed and
Arrayed, to make War against the King, contrary to their Li-
geance, and came with such Force into the presence of the Person
of the King, which was to levy War against their Liege Lord;
That he might be adjudged *Traitor*, and that his *Lands*, *Tenements*,
Goods and *Chattels* might be forfeit, notwithstanding his Death,
as they ought in this Case. Upon this all the Lords Temporal,
and Monsieur *Thomas Percy*, having Power as abovesaid, having
been fully Examined, said, That the said *Crime* and *Treason* were
notoriously known to them, and the whole Kingdom; wherefore
all the Lords Temporal, and Monsieur *Thomas Percy*, by assent of
the King, declared him guilty of levying of War, and *Traitor*, and
adjudged all his Castles, Mannors, Lands, &c. which he was pos-
sessed of on the 13th of November, in the Eleventh year of this
Reign, as in the *Earl of Arundel's Judgment*, forfeit to the King
and his Heirs; And that none of his Issue, or Heirs of his Body,
or their Issue or Heirs, in time to come, should ever bear the
Royal Armes of England intire, nor with difference, (ne ore diffe-
rence) or in other manner whatsoever, nor should inherit the
Crown of England.

Upon [6] the 25th of September the Appellants in full Parle-
ment prayed the King, That if there were any thing upon Record,
whether by Confession of any Person appealed, or other Person
whatsoever, touching their Appeal, that it might be openly known,
and declared in full Parlement; Then by Command of the King,
and

[3] Append.
n. 111.

A Warrant
to the Earl
Marshall to
bring the Bo-
dy of the
Duke of Glo-
cester into Par-
lement.

[4] Ibid.
The Earl
Marshall re-
turned he was
dead.

[5] Pleas of
the Crown.
21 Ric. II.

His Judg-
ment.

[6] Ibid.

and Advice of all the Lords Temporal, [7] a Commission bearing
Date the 17th of August this year, was read, directed to Monsieur
William Rickhill one of the Justices of the Common Bench, and a
Confession made before him by *Thomas Duke of Glocester* by force
of that Commission; and the Return of that Commission was
then also Read, which follows in these Words:

This is the Answer [8] of *William Rickhill* to
the Commission of his Liege Lord.

' *Thomas Duke of Glocester* be the name of *Thomas of Wood-
stok* the zer of the King *Richard* Twenty one, in the Castle
of *Caler*, by vertue of a Commission of the King, as it is more
plainly declared in the same, directed to *William Rickhill* Ju-
stice hath * I know and confessed to fore the same *William* all
the Matters and Points I wrote (that is, wrot) in this great
Roll annexed to this Scedule, the which Scedule and great Roll
both Sealed under the Seal of the aforesaid *William*, and all the
Matters and Points I know (that is, declared) and confessed by
the foresaid Duke in the Castle of *Caley*, the foresaid Duke be
his own Hand fully and plainly I wrot, delivered it to the same
William Rickhill in the presence of *John Lancaster*, and *John*
Lovetot, and all that ever the foresaid *William Rickhill* dede
touching this Matter, it was I doe (that is done) in the pre-
sence of the foresaid *John* and *John*, and in none other man-
ner.

' I *Thomas of Woodstok* [9] the Zer of my Lord the King
twenty one, be the vertue of a Commission of my Lord the
King the same Zer directed to *William Rickhill* Justice, the
which is comprehended more plainly in the foresaid Commis-
sion, knowleche that I was one with sterynge of other Men,
to assent to the making of a Commission, in the which Com-
mission I among other restreyned my Lord of his freedome,
and took upon me among other Power real, (that is, Royal)
truly not knowing ne witting that time that I did against his
Estate nor his Royalty, as I did after and do now; And for-
asmuch as I knew afterward that I had done wrong, and take
upon me more then me ought to do, I submitted me to my Lord,
and cried him Mercy and Grace, and yet do as truly and as
meekly as any Man may, and put me high and low in his Mer-
cy and in his Grace, as he hath always been full of Mercy and
Grace to all other.

' Also, in that time that I came Armed into my Lord's pre-
sence, and into his Palace, howsoever that I did it for drede of
my Life, I knowleche for certain that I did Evil, and against his
Regalte, and his Estate, wherefore I submit me lowly and meek-
ly to his Mercy and to his Grace.

* Also,

[7] Append.
n. 112.
The Confes-
sion of the
Duke of Glo-
cester, when
Prisoner, be-
fore Sir Wil-
liam Rickhill.

[8] Pleas of
the Crown in
Parlement,
21 of Ric. II.

* Declared.

[9] Ibid.

* At Radcot
Bridge.

* Also, in that I took my Lords * Letters of his Messages, and opened them against his leave, I knowlech that I did Evil, wherefore I put me lowly in his Grace.

* Also, in that, that I schaudred my Lord, I knowlech that I did Evil and Wickedly in that that I spake to him in schauderous wife in audience of other folk, bot by the way that my Soul shall too, I meant none Evil therein, nevertheles I wot and knowlech that I did evil and unkindly, wherefore I submit me high and low in his Grace.

* Also, in that I among other communed and asked of certain Clerks whither that we might give up oure Homage for dread of our Lives or not, and whither that we were assentid thereto for to do it, trewly and be my troth, I have now none full mind thereof (that is, he did not remember it) but I trowe rather yee, then nay, wherefore I submit me high and low evermore in his Grace.

* Also, in that that I was in place there it was communed, and spoken in manner of depofal of my Liege Lord trewly I knowlech well, that we were assentid thereto for two days or three, and then we for to have done our Homage and our Othes, and put him as highly in his Estate as ever he was, but for sooth (that is, sooth) there I knowlech that I did untrewly and unkindly as to him that is my Liege Lord, and hath been so good and kind Lord to me, wherefore I beseeche to him notwithstanding myn unkindnesse, I beseeche him evermore of his Mercy and of his Grace as lowly as any Creature may beseeche it unto his Liege Lord.

* And as of any new thing or Ordenance, that ever I should have witting or known, ordained or assentid, privy or appert, that should have been against my Lord's Estate, or his Luth, (that is, Will) or any that longeth about him, syth that day that I swore unto him at *Langeley* on God's Body, trewly and by that Ooth that I there made, I never knew of gathering against him, ne none other that longeth unto him.

* And as touching these Points that I have made *Confession* of, to for *William Rickhill* Justice, in the which I wot well that I have offended my Lord, unkindly and untrewly as I have said before, how that I have in all these Points offended him, and done against him, trewly and as I will answer before God, it was my meaning and my weaning (that is, weening or thinking) to do the best for his Person and for his Estate; Nevertheless I wot well, and know well now, that my Deeds and my Workings were against my intent, bot by the way that my Soul shall to, of these Points and of all other the which that I have done of negligence and of unknunning it was never myne intent, ne my will, ne my thought for to do thing that should have been distresse or harmeing against salvation (that is, safety) of my Liege Lords Person, as I will answer before God at the Day of Judgment.

* And therefore I beseech my Liege and Sovereign Lord the King, that he will of his high Grace and Benignity accept me to his Mercy and his Grace, as I that put my Life, my Body, and my Goods wholly at his Will, as lowly as meekly as any Creature can do, or may do to his Liege Lord, beseeching to his

* his high Lordship that he will for the Passion that God suffered for all Mankind, and the Compassion that he had for his Mother on the Crosse, and the Pity that he had of *Mary Magdalen*, that he will vouchsafe for to have Compassion and Pity, and to accept me to his Mercy and to his Grace, as he that hath ever been full of Mercy and of Grace to all his Lieges, and to all other that have nought been so nigh unto him as I have been, though I been unworthy.

After this *Return* to the *Commission* had been read, the *Appellants* prayed, That *William Rickhill*, approved for his *Loyalty* and *Discretion*, might be commanded by the King upon his Ligeance, to declare the truth touching this *Confession*, who in the presence of the King, the Lords *Spiritual* and *Temporal*, and *Commons*, in Parliament, said, and declared, That about *Eight of the Clock* before Noon, he came within the *Castle of Calais* to the Duke of *Glocester*, being then in good *Memorie* and out of *Prison*, (*estant alors en bone memoire & hors de dureste de prison*) and shew him the *Commission* and the cause of his coming to him in the presence of *John Lancaster* and *John Lovetost*, and prayed him that what he had to say he would put down in *Writing*, and then departed. Then returning to him about *Nine of the Clock* afternoon the same day, the Duke read in writing the said *Confession* with his own Mouth, and gave the same to *William Rickhill* with his own Hand. And further, *William Rickhill* said to the Duke, if there was any thing more touching this Matter he would speak it in satisfaction to the King, for the knowledge of the whole Truth of the Matter, whereupon the Duke said he had forgot one thing that then came into his Memory, to wit, That he said to the King, that if he would be King, he must not intercede for *Sir Simon Beurle* to save him from Death, and prayed *William Rickhill* he would shew this to the King by Word of Mouth, (*& pria le dit William Rickhill q'il verrait Monseigneur ceste Matire au Roy par Bouch.*)

On [1] Friday the 28th of September, the *Constable of the Tower* brought into the *Parlement* *Thomas Earl of Warwick*, who was told by the Duke of *Lancaster* *Steward of England*, by Command of the King, and all the Lords *Temporal*, That he was appealed by *Edward Earl of Rutland*, and the other *Appellants* there named, of divers *High Treasons*, which were comprehended in Two only Articles, That of assembling with Force and Armed Men at *Harvingey*, &c. and that about *Sir Simon Beurley*, and were drawn up in the same Words as in the *Earl of Arundel's Case*. To which he answered, That he well understood those Treasons and Wicked Deeds, and was Guilty of them, and put himself in the King's Grace. Wherefore the Duke of *Lancaster*, by Command of the King, all the Lords *Temporal*, and *Monsieur Thomas Percy*, having Power as aforesaid, pronounced the very same Judgment against him in all things as he had done against the *Earl of Arundel*; Which the King moved with Pity, to the Reverence and Honour of God, at the prayer of the *Appellants*, the *Commons of Parliament*, and the Lords *Spiritual* and *Temporal*, Remitted and Pardoned, and granted him his Life; and his Sentence was, That he should remain Prisoner in the Isle of *Man* so long as he lived, upon Condition, That if any Means were made to the King, or his Heirs, for any further

William Rickhill declares in Parliament the manner of the Duke of *Glocester's* Confession.

[1] *Em.*
The Trial of the Earl of *Warwick*.

H: pleads Guilty, and puts himself in the King's Grace. His Judgment the same with the Earl of *Arundel's*. Which the King Pardoned by the Mediation of the Parliament and *Appellants*. Being to remain Prisoner in the Isle of *Man* during his Life.

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favour, or if he should make his Escape, then the Judgment should be put in Execution, and the King's Grace should be void.

The Commons [2] before the King in Parlement affirming the Appeal to be Good and Lawful, impeached Thomas Mortimer of Treasons comprised in the said Appeal; but he being in Ireland, fled unto the Mountains to the Irish Rebels: Proclamation was agreed in Parlement to be made in England and Ireland, That he should be in England within Three Months to answer to the impeachment of the Commons, or be declared Traitor; and all his Mannors, Castles, Lands, Tenements, &c. which he was possessed of on the 13th of November, in the Eleventh of the King, together with all his Goods and Chattels, forfeited to the King. The Appellants and Commons had time given them until the meeting of the Parlement adjourned to Shrewsbury to the Quinden of St. Hilary, or 27th of January, when he not appearing, the Duke of Lancaster, and all the Lords Temporal, and William Lescrop Earl of Wiltshire, having sufficient Power from the Prelates and Clergie, as appeared by Record in Parlement, by assent of the King, gave Judgment against him according to the Tenor of the Proclamation.

On the [3] 28th day of January the Commons in the Parlement at Shrewsbury shew the King, how in the Parlement at Westminster they had accused and impeached John de Cobham Knights, for that he had been counselling, aiding, and procuring the Commission to be made, and caused himself to be put into it, being made in prejudice of the King, and openly against his Royal Dignity and Crown, and for that in the Eleventh year of the King, with others Convict in this Parlement, accroaching to themselves Royal Power, sitting in Judgment, awarded, That the King's Lieges, Simon de Buerle, and James Berners, Knights, should be Drawn, Hanged, and Beheaded, without the King's assent, and contrary to his will, in his absence, and in the absence of many Peers of Parlement, who arose, and would not sit in such Judgment, and against their Will traitorously against the Peace, the King, his Crown, Majesty, and Dignity; And the same day the Duke of Surry, in whose Custody he was, brought him into Parlement to answer, who was told by the Duke of Lancaster, that he was accused and impeached by the Commons of the Treasons aforesaid, and commanded him to answer at his Peril; Who hearing the Impeachment, said, That as to the making of the Commission, he was not guilty, and touching the use and exercise of the same, he said he would not use or meddle with it without the King's Command, and therefore he went to the King and told him, he with others were made Commissioners, but would not act according to the Commission without his Command, who commanded him to act: To that the King answered, he was under such Government at that time, that he could say no otherwise, by reason of such as were then about him; and that the Commission was made against his Will, the said John Cobham could not gainsay it. Touching the Judgments and Award made against the said Simon and James, he said he was told by those that then were Masters, that it was the King's Will such Judgments and Award should be made. Then the Commons prayed the King to give Judgment against him as Convict and Attaint of the use and exercise of the Commission and the Judgments and Award given and made against the said Simon and John, notwithstanding his

[2] Ibid.
Thomas Mortimer impeached by the Commons.
He fled to the Irish Rebels.
Proclamation agreed in Parlement to be made for his Return and Appearance in Parlement.

His Judgment in his Absence.

[3] Ibid.
Sir John de Cobham impeached by the Commons.

his Answers; Whereupon the Duke of Lancaster, by Command of the King, all the Lords Temporal and William Lescrop Earl of Wiltshire, having sufficient Power from the Prelates and Clergie, as aforesaid, by assent of the King, awarded the said John de Cobham Convict and Attaint of the use and exercise of the Commission, and the Judgments and Award traitorously made against the said Simon and James, and therefore adjudged him Traitor, and to be Drawn, Hanged, Headed, and Quartered, and that all his Castles, Mannors, Lands and Tenements, &c. which he had on the 19th day of November, in the Tenth of the King's Reign; and so on according to the Judgments given in the Earl of Arundel's Case. All which Judgments the King of his special Grace Pardoned, yet so as he was to be Prisoner in the Isle of Jersey during his Life, and upon the same Conditions the Earl of Warwick was to be Prisoner in the Isle of Man.

On Wednesday the [4] 30th day of January, in the Parlement as above, Henry of Lancaster Duke of Hereford, came before the King with a Schedule in his Hand, and said to the King he came by his Command into his presence at Haywode, where he told him, he understood Thomas Mowbray Duke of Norfolk, had spoken many dishonest Words in slander of his Person, and that they were spoken to him as he was informed; Upon this the King charged him upon his Ligeance, That he should truly repeat the Words as they were spoken. The Duke of Hereford, not thro' Malice or Ennity, or other Cause, but only to obey the King's Command, as he was bound, (come il est tennu) wrote down the Words which the Duke of Norfolk spake to him, as before he had conceived and born them in his Memory, and were in the Schedule which he delivered to the King; With Protestation to add or diminish at all times, and when he pleased, as it should be needful, saving always the substance of the Libel: Which was this; 'Sir, in the Month of December, in the Twenty one year of your Reign, the Duke of Hereford Travelling between Bramford and London, the Duke of Norfolk, with a great Train, met and Discoursed with him of divers Matters, amongst which he told him they were in Point to be undone, and the Duke of Hereford demanded why? and he answered, for the Fact at Radcot Bridge; The Duke of Hereford said, How can this be, for he hath done us favour, and declared us in Parlement to have been good and loyal towards him. The Duke of Norfolk answered notwithstanding that; it will be done by us, as had been done by others before, for he will vacate this Record. The Duke of Hereford replied, This would be a great Wonder, since the King had said it before the People, that he should afterwards make it be annulled. And further the Duke of Norfolk said, This was a Marvellous World and false, for I know well saith he, That if

Monseigneur, your Father, and you, had been taken or killed, when you came to Windsor after the Parlement; and that the Dukes of Albemarle and Excester, the Earl of Worcester and he, were agreed never to undo any Lord without just Cause and Reasonable; and that the Malice of this Fact was in the Duke of Surrey, the Earl of Wiltshire, and Earl of Salisbury, drawing to them the Earl of Gloucester, who had sworn to undo Six other Lords, that is to say, the Dukes of Lancaster, Hereford,

His Judgment.

Which was Pardoned by the King. Being to remain Prisoner in the Isle of Jersey during Life.

[4] Ibid.
The Duke of Hereford accused the Duke of Norfolk by a Schedule in Writing.

The Tenor of the Schedule.

ford, Albemarle, and Excester, with the Marques and himself. And also he said they purposed to Reverse the Judgment of Earl Thomas of Lancaster; and hereby we and many others should be Disherited. The Duke of Hereford said, God forbid; for it would be a great wonder if the King should Assent to this; for it seemed to him, by his chearful Countenance, and his promise of being a good Lord, and also that he knew he had sworn by St. Edward to be a good Lord to him, and all the others. The Duke of Norfolk answered, He had done the same to him many times, and sworn by the Body of God; and that for this he was never the better to be trusted. And further said to the Duke of Hereford, That the King was about to draw the Earl of March and others, to the Agreement and Purpose of the said Four Lords, to destroy the others aforesaid. The Duke of Hereford replied, If it be so, we can never trust them. The Duke of Norfolk said, For certain not; for although they cannot accomplish their Design at present, yet they will be contriving ten Years from this time to destroy us in our Houses.

Hereupon, Thursday the 31st of January (and last Day of the Parliament, it was Ordained by the King, with the Assent of all the Estates in Parlement, That the Matters comprised in this Schedule, should be determined and ended by the Good Advice and Discretion of the King, and certain Commissioners assigned by Authority of Parlement, as it doth appear in the Roll of Parlement; to wit, the Duke of Lancaster, the Duke of York, the Dukes of Albemarle, Surrey, and Excester; the Marques of Dorset; the Earls of March, Sarum, Northumberland, and Gloucester, or Six of them; the Earl of Worcester, or the Earl of Wiltshire, Procurators of the Clergy, or one of them; John Buffy, Henry Grene, John Russel, Robert Teye, Richard Chelmswyk, and John Golafree, Knights of the Parlement, Four or Three of them.

And afterward, on the 19th Day of March next following, after the Dukes of Hereford and Norfolk had been before the King at Oswaldstre, it was agreed by the King, and the Lords and Knights aforesaid, That the Procefs in the Determination of these Matters, should hold the course of the Law of Chivalry, if sufficient Proofs could not be found, until it should be determined between the Dukes by course of Law.

Wherefore [5] on the 16th Day of September, in the 22d of the King's Reign, at Coventry, the Dukes of Hereford and Norfolk were told by the King's Command, That on Wednesday next after the Quinden of St. Hillary, or 27th of January, in the Year of the King's Reign Twenty one, in the Parlement at Shrewsbury. The Duke of Hereford delivered the King a Bill, the Tenour whereof follows; and was the same Word for Word with the Schedule before translated from the French Record.

And then it follows, That after this Parlement was ended, the Dukes appeared at Oswaldstre the 23d of February, when Day was assigned them to be at Windsor on Sunday the 28th of April, where they both appeared, and had the next Day assigned.

Matters contained in the Schedule how to be determined.

The Dukes of Hereford and Norfolk appear before the King at Oswaldstre. Their Case to be tried by Chivalry or Duel.

[5] Ibid. 22 Ric. II. A.D. 1398.

the mean time, the King and his Council held at Bristol, perusing the Act at Oswaldstre, by Advice of Those that had the Authority of Parlement, Ordained Battel between them, if sufficient Proofs could not be found. And on Monday the 29th of April they both appeared, when the Battel was joined (*a quell Lundy fuist la Bataille joint*) by Advice of the Dukes, Earls, Barons, Banerets, and Chivalry of England there in great Number assembled for this cause, as well as of those who had the Authority of Parlement; and this because no sufficient Proofs could be found in the mean time. On the 16th of September, the Dukes were ready at Coventry (*pour faire leur Devoir*) to perform what was ordered, when the King of his Especial Grace took the Battel into his hand; (*nostre Seigneur le Roy come Droituel, Naturel, & Sovereign Seigneur de sa Grace especial prist la Batail en sa main*;) And it was said to the Duke of Hereford, That the King by full Advice, Authority, and Assent of Parlement (*le Roy par plein Avys, Autorite, & Assent du Parlement*) Willed, or Ordained, and Adjudged, for the Peace and Tranquillity of him, his Kingdom, and Subjects, and to eschew Debates and Troubles, especially between the Dukes, their Friends, and Well-willers, That the Duke of Hereford should go out of the Kingdom for Ten Years, and be gone within Eight Days after the Day of St. Edward the Confessor, or 13th of October, upon pain to incur Treason by Authority of Parlement. Also it was Ordained by Authority, and under the pain aforesaid, That the Duke of Hereford should not come in the Company of Thomas Duke of Norfolk, nor of Thomas Arundel, nor send or cause to be sent, or receive or cause to be received, by Message or otherwise, to or from either of them.

It was then also [6] said to the Duke of Norfolk, That forasmuch as at Windsor the 29th of April, in the 21st of the King, he had confessed certain Points of the Appeal, or Schedule aforesaid, which he had denied at Oswaldstre, on the 23d of February foregoing; which were very likely to have bred great Trouble within the Kingdom; The King desiring to punish as Rightsful Lord all such as were the Authors of such Troubles and Debates, and also willing to avoid the Occasions of them, Adjudged and Ordained by the same Advice, Authority, and Assent of Parlement, That Thomas Mowbray Duke of Norfolk should void his Realm (*voidera son Roialme*) for term of Life, and that he shall be out of the Kingdom by the 20th of October next coming, and remain in Germany, Bobemia, and Hungary, and in other Parts of Christendom, upon pain to incur Treason by Authority aforesaid; and that he should not come in the Company of the Duke of Hereford, nor of Thomas Arundel, nor send or receive, &c. as before in the Duke of Hereford's Case, upon the same pain. And it was Ordained by Authority of Parlement, as above, That if either of the Dukes, or any other, do procure any thing to be done against the least point, in the Ordinance, or what was done on the 16th of September, shall incur the pain of Treason, as if it had been done against any Ordinance of the Parlement begun at Westminster, and adjourned to Shrewsbury; or if they or any other for them shoulk seek for any manner of Pardon or Licence to return home, they were to incur the same pain by the same Authority.

Battel ordered between the two Dukes. The Battel joined between them.

The Dukes ready to perform what was ordered them at Coventry.

The King, by Advice of those who had the Authority of Parlement, stayed the Battel:

And banish'd the Duke of Hereford for 10 years.

Next the Duke of Hereford's Father, John Duke of Lancaster, was chief in this Advice and Judgement.

[6] Ibid. The Duke of Norfolk banish'd by the same Advice and Authority.

On

[7] Stat. at Large, 21 Ric. II. c. 16. These things, though in the 22d year, are entered on the Parliament-Roll 21st, as part of that Parliament. Ordinances and Statutes made at Bristol.

[8] Rot. Parl. 21 Ric. II. n. 85. so entered, though it was in the 22 Ric. II. Not to be repealed under pain of Treason.

The Oaths of the Bishops and Lords enlarged.

[9] Ibid. n. 86. The Additions to the Bishops Oath.

[1] Ibid.

The Addition to the Oath of the Lords Temporal.

On Tuesday, on the morrow of St. Edward, the 14th of October next following, the King with the [7] Dukes of Lancaster, York, Albemarle, Surrey, and Excester; the Marquess of Dorset, the Earls of March, Salisbury, and Gloucester; John Buffy, Henry Green, and John Russell, by Virtue and Authority to them committed in Parliament at Bristol, made certain Ordinances and Statutes, Five whereof are printed in the Statutes at Large, Cap. 16, 17, 18, 19, 20. the last whereof relating only to our Purpose, and varying in Print somewhat from the Roll, I have added to it what was wanting: 'Also the King on the same Tuesday, on the morrow of St. Edward, by the same Assent of the Lords and Knights of Counties so assigned by the said [8] Authority of Parliament, doth Ordain, That every Person that procureth or pursueth to Repeal or Reverse any of the said Statutes or Ordinances made by the King, by the Assent of the said Lords and Knights, assigned by Power and Authority of Parliament, and that duly proved in Parliament, shall be Adjudged and have Execution as a Traitor to the Kingdom, in like manner as they which Pursue or Procure to be Repealed the Statutes and Ordinances made during the time of the said Parliament.

After this Provision made for the sure keeping of the Statutes and Ordinances made by the King, with the Assent of the Lords and Knights assigned by Power and Authority of the Parliament, the Oath of the Bishops, when they received their Temporalities of the Temporal Lords, when they had Livery of their Lands and Tempments, were enlarged with these Additions:

To the Bishops Oath was added,

[9] You shall Swear, That well and truly (vous jurez que Bien & Loyalment, Tendrez, Sustenez, & Efferrez sanz fraud on mal Engyn ove touz les Estatutes, Establisments, Ordenances, & Jugements faits, &c.) you will Hold, Uphold, and Standwith, without Fraud or Deceit, all the Statutes, Establisments, Ordenances, or Judgments made and rendred in the Parliament summoned and begun at Westminster, on the Monday next after the Exaltation of Holy Cross, in the Year of the Reign of our Lord King Richard II. after the Conquest Twenty one, and from thence adjourned to Shrewsbury, to the Quinden, or 15 Days after St. Hillary then next coming, and there ended. And also all the Statutes and Ordinances made after the said Parliament, by the King and Lords, and Knights of Shires coming for the Commons to that Parliament, without going or doing to the contrary of any of them, or the Dependents on, or Parcel them; nor that you will ever Repeal, Revoke, Cassate, make Void, Reverse, or Adnull, nor ever suffer them to be Repealed, Revoked, Cassated, made Void, Reversed, or Adnullled, so long as you live; saving to the King his Regaly, Liberty, and Right of his Crown.

To the Oath of the [1] Temporal Lords, was this further Addition:

You shall Swear, That you will never suffer in time to come any Men living to go or do anything to the contrary of any of the Statutes, Establisments, Ordinances, and Judgments above-said, nor any Dependents on, or

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Parcell of them: And if any one shall do so, and be thereof duly Conviit, you shall use your utmost Power and Diligence, without Fraud or Deceit, to prosecute him before the King and his Heirs Kings of England, and cause him to have Execution as an High Traitor to the King and Kingdom; saving to the King is Regalie, Liberty and Right of his Crown.

A At Handenstank, on the 26th of October this Year, Commissioners for both Nations met: For Scotland, Sir William Bortwic, Sir John of Remorgny, Knights, and Adam Forster Esquire: For England, John Buffy and Henry Green Knights, William Feriby Clerc, and Laurence Drew Esquire. Their Business was to take care of the Release and Exchange of Prisoners that had been taken on both sides since the Truce of Lewingham in the Year 1389. and to regulate the Practices of the Borders on both sides, and secure them from Rapin, Thefts, Robberies, Burnings, and taking and carrying away Prisoners into either Country, during the time of the late Twenty Eight Years Truce between England and France, which was effectually done in Eleven Articles. The Instrument it self under the Seals of Scots Commissioners, in true Scottish Language, being with the Under-Chamberlains in the Exchequer, in a little Box, titled *Scotia*.

C About [2] Candlemas next following, John Duke of Lancaster died, and the King, with the Committee that had the Authority of Parliament, met at Westminster on Tuesday the 8th Day of March, when it was declared, That Henry Duke of Hereford, [3] after the Judgment given against him at Coventry, had procured Letters Patents from the King, that during his absence, by his Attorneys he might Sue and have Livery of any Lands defended to him, and his Homage respited. Which Letters Patents were declared to be against Law. Whereupon the King, by Advice of the Committee, and Assent of Parliament, Revoked those Letters Patents, as also the like Letters Patents made to the Duke of Norfolk.

D On [4] the same Day Robert Plesington Knight, though dead before, was adjudged Traitor for being in the Action with the Duke of Gloucester, Earls of Arundel and Warwick, at Haringey, and all his Castles, Mannors, Lands, Tenements, Goods and Chattels to be forfeit. After which, many Bishops and Lords Temporal Swore as follows.

E Which [5] Judgments, Ordinances, and Establisments, so Made, Ordained, and Agreed on the said Tuesday the 18th of March, and all the Statutes, Establisments, Ordinances, and Judgments, Made and Rendred in the said Parliament, or at Coventry, or otherwise, by Virtue and Authority of the same Parliament, firmly to hold and keep, as well the Lords Spiritual as Temporal, and certain Knights for Counties, by Authority of Parliament there being, the same Tuesday were Sworn in the Presence of the King upon the Cross of Canterbury (de les tenir, sustenir, & de eſteer ove yelles) to hold, uphold, and stand with them without Fraud or Deceit, according to the Form and Effect of the Oaths by them made before, as contained in the Parliament-Roll.

The

A. D. 1398. 22 Ric. II. Commissioners of England and Scotland to take care of the Articles of the late Truce.

[2] Hypodig. Nussler. f. 553. lin. 5. The Oath of the Duke of Lancaster. [3] Rot. Parl. n. 87, 88.

[4] Plesington, Canon. 21 Ric. II. n. Judgment against Sir R. Plesington.

[5] Appendix. n. 113. The Oath of the Bishops, Lords, and Knights.

The Names of the *Bishops, Lords, and Knights*, do here follow:

The Arch-Bishop of Canterbury,
The Arch-Bishop of York,
The Bishop of London,
The Bishop of Winchester,
The Bishop of Ely,
The Bishop of Norwich,
The Bishop of Excester, Chancellor,
The Bishop of Rochester,
The Bishop of Hereford,
The Bishop of Salisbury,
The Bishop of Lincoln,
The Bishop of St. Asaph,
The Bishop of St. Davids,
The Bishop of Chester,
The Bishop of Chichester,
The Bishop of Landaff,
The Abbat of Westminster,
The Abbat of St. Edmundsbury,
The Duke of York,

The Duke of Albemarle,
The Duke of Excester,
The Marquess of Dorset,
The Earl of Stafford,
The Earl of Salisbury,
The Earl of Northumberland,
The Earl of Gloucester,
The Earl of Westmerland,
The Earl of Worcester,
The Earl of Wiltshire, Treasurer,
The Earl of Suffolk,
The Lord Grey of Ruthin,
The Lord Ferrers of Groby,
The Lord Lovell,
The Lord Camoys,
Sir John Buffy,
Sir Henry Green,
Sir John Russell,
Robert Teye,

After this, the *Chancellor* by the *King's Command* required openly all those that had been Sworn, and would observe the *Judgments, Oath, and Ordinances*, should hold up their *Right Hands*; which was done by all the *People* in the *King's Presence*.

[6] *Placit. Coram ut supra, n. The Judgment of H. Bowet.*

On the 22d of *April* [6] following, the *King, and Committee* that had the *Authority* of *Parlement*, were at *Windfor*, where *Henry Bowet Clerc*, was brought before them; where it was shewn the *King*, That the *Duke of Hereford*, since the *Judgment* given against him at *Coventry*, had by *Petition* amongst other things, obtained from the *King Letters Patents*, That if any *Lands* of *Inheritance* defended or fell to him in his absence, for which he ought to do *Homage*, he might by his *Attorneys* Sue for, and have *Livery* of them, and his *Homage* and *Faalty* respected: Which *Letters Patents* being granted by *Inadvertency*, without due *Advice*, or mature *Deliberation*, as they ought to have been, and being then viewed and diligently examined, it was found that they were clearly against the said *Judgment*, because the *Duke of Hereford*, after that *Judgment*, was not a *Person* capable to have or receive *Benefit* by the *Leters Patents*; and for that they had been adjudged void, as appeared by the *Parlement-Roll*: And therefore because *Henry Bowet Clerc*, had been the *Chief Contriver* and *Manager* of the said *Petition*, the *King*, by the *Assent* of the *Committee* who had the *Authority* of *Parlement*, adjudged him *Traitor*, and to be *Drawn, Hanged, Headed, and Quartered*; and all his *Lands* and *Tenements*, as well in *England* as *Gascony*, and all his *Goods* and *Chattels* to be forfeited. But because he was the *King's Chaplain*, he pardoned the *Execution* of the *Judgment*, and granted him his *Life*, with this, That he should be *Banished England* for ever.

While

While these things [7] were doing here, there came *News* from *Ireland*, That *Lieutenant Roger Earl of March* was there slain by the *Irish*; To *Revenge* whole *Death*, and *subdue* the *Irish*, the *King* levied a considerable *Force*, and went into *Ireland* with several *Bishops*, and many of the *Nobility*. Toward which *Expedition* he *Raised Money* by *undue Ways*, and taking up *Carriages, Victuals*, and other *Necessaries*, without *paying* for them, by which and many other *Imprudent, Rash, and Unadvised Practices*, he had made himself and *Government* *unease* to the *People*.

The *Duke* taking advantage of *King Richard's absence*, thinks of coming for *England* [8] to demand his *Inheritance*, with *Thomas Arundel Arch-Bishop of Canterbury*, and the *Son* and *Heir* of the *Earl of Arundel*, and a small *Company*, he took *Ship* in *France*, and hovering a while about the *English Coast* to spie whether there were any ready to resist them, at length landed at *Ravensthorpe* in *Yorkshire*, where there came into him *Henry Percy Earl of Northumberland*, and *Henry* his *Son, Ralph Earl of Westmerland*, and other *Lords*, so as in a short time he had an *Army* of 60000 *Men*; They *marched* speedily to *Bristol*, and besieged the *Castle*, and took it, and within it *William Lescrop Treasurer*, *Sir John Buffy*, and *Sir Henry Green*, all the *King's Counsellors*, who the next day by the *Clamor* of the *People* had their *Heads* struck off. The *Duke of York*, the *King's Uncle*, and *Guardian* of the *Kingdom*, with several *Bishops, Noblemen*, and the *King's Council*, consulted how they might oppose the *Duke*, but could do nothing.

King Richard, when he heard in *Ireland* of his *Landing*, [9] secured the *Sons* of the *Duke of Lancaster* and *Gloucester* in *Trim Castle*, and with the *Dukes* of *Albemarle, Excester*, and *Surrey*, the *Bishops* of *London, Lincoln*, and *Carlisle*, and many others, *Shipped* themselves with all speed, that they might raise such a *Force* as might hinder the *Duke's Progress*. But when he landed, understanding his own *Condition*, That the *People* and greater part of the *Lords* had forsaken him, and gone in to *Duke Henry*, he laid by all thoughts of *Fighting*, and likewise dismissed his *Family*, giving them notice by his *Steward Sir Thomas Percy*. That they might provide for, and reserve themselves for better *Times*. The *King* shifting up and down, here and there for many days, the *Duke* always following him with his *Army*, at length fixed at *Conway Castle*, and desired to have *Discourse* with the *Arch-Bishop* and *Earl of Northumberland*, to whom he declared, He would quit his *Government*, if he might have his *Life* secured, and an *Honourable Provision* made for himself, and *Eight Persons* he should Name; These things granted and confirmed, he went to *Fliet Castle*, where after a short *Discourse* with the *Duke of Lancaster*, they mounted their *Horses*, and went to *Chester Castle* that night, the *Duke's* numerous *Army* following him.

At *Chester* [1] *summons* were issued in *King Richard's Name* for the meeting of a *Parlement* on the *Morrow* of *St. Michael*, or 30th of *September*, dated there on the 19th of *August*, in the 22d of his *Reign*. In the mean time the *King* was brought to, and secured in the *Tower* of *London* until the *Parlement* should sit.

[7] *Hypocrit. Nuffr. l. 552. n. 50.*

The King goes into Ireland.

[8] *Walsingham. Hist. fol. 358. n. 1020, 350. The Duke of Hereford lands in England.*

[9] *Ibm. n. 400, 50. The Nobility and People desert King Richard.*

He offers to Quit his Government, his Life and an Honourable Maintenance secured. Which was Granted.

[1] *Clanfe 23 Ric. II. M. 3. Des. Write for a Parliament in King Richard's Name: He is secured in the Tower of London.*

G g g

Ho

[2] Chronicle, f. 101. a. col. 2. The Duke's Obedience to King Richard at their first meeting. And Declaration of the Cause of his coming into England. The Duke received at London with great Rejoicing. * The Instruments of the King's Renunciation and Deposition contrived by his Order.

Holingshed tells us, [2] the Duke at the first meeting of King Richard, which was at Conway Castle in Carnarvonshire, as he came towards him, made a Reverend Obedience, and going on, did so a second, and third time, the King taking him by the Hand, and bidding him Welcome; whereupon humbly Thanking him, said, The Cause of his coming was to have Restitution of his Inheritance, unto which the King readily assented; and called for Wine, and when they had drank, mounting their Horses, they rode to Flint, and to Chester, where they stayed two or three days, and went from thence to Nantwich, and so the common Road to London, where the Duke was received with all imaginable Expressions of Joy, and the King sent to the Tower, where we hear no more of him until Michaelmas-Day, against which time the Instruments of his Cession, Resignation, and Deposition, with the Articles against him, were prepared; which are here recited from the Parlement Roll exactly Translated.

The Roll of Parlement summoned and holden at Westminster in the Feast of St. Faith the Virgin (or 6th of October) in the Year of King Henry the Fourth after the Conquest the First. Membrane xx.

The Record and Procefs of the Renunciation of King Richard the Second after the Conquest, and the Acceptation of the same Renunciation likewise, with the Deposition of the same King Richard, as it here follows.

This Record is Printed in X. Antiquities, Col. 2744. and in Prym's Plea for the Lord, p. 425. which I have compared with the Original.

[1] Rot. Parl. 1 Hen. IV. N. 10.

BE it Remembred, [1] That on Monday in the Feast of St. Michael the Archangel, in the Twenty third year of the Reign of King Richard, the Lords Spiritual and Temporal, and other Notable Persons; That is to say, The Lord Richard le Scrop Arch-Bishop of York, John Bishop of Hereford, Henry Earl of Northumberland, and Ralph Earl of Westmerland, the Lord Hugh Burnell, Thomas Lord Berkley, the Prior of Canterbury and Abbat of Westminster, William Thyrninge Kt. and John Markham Justices, Thomas Stow, and John Barbache, Doctors of Law, Thomas de Erpingham, and Thomas Gray, Knights, William de Fersby, and Dionyse Lapham, Publick Notaries, being Deputed to that purpose, came into the presence of King Richard within the Tower of London about Nine of the Clock, when the Earl of Northumberland said before the King, That at [2] Conway in North-Wales, and then at Liberty, He promised to Thomas Arch-Bishop of Canterbury and himself, That he would Quit the Crown of England and France, and Renounce all Right to it,

[2] Ib. n. 11.

it, and to Kinghip, for the Causes there by himself confessed of his Inability and Insufficiency, and this he would do after the best Manner and Form he should be Advised by the Skilful in the Law. The same King before the said Lords and others above-named, kindly answered, That he would with Effect perform, what he had promised, but first desired to have Conference with his Cousin Henry Duke of Lancaster, and the Arch-Bishop of Canterbury, before he did it; and desired a Copy of the Renunciation he was to make might be delivered to him, to Deliberate upon, which was done, and the Lords departed. [3] On the same day after Dinner, the King much desiring the coming of the Duke of Lancaster, and long expecting him, at length he and the Arch-Bishop of Canterbury, with the Lords and Persons above-named, came to his presence in the Tower, the Lords Roos of Willoughby, and Abergavenny, and many others then being present. And after he had Conference with the Duke of Lancaster and Arch-Bishop, looking about him with a Cheafull Countenance, as it seemed to the People about him, the King called them all to him, and said publicly he was ready to make his Renunciation as he had said before; and presently taking the Parchment Schedule of his Renunciation into his Hands, tho it was told him, to spare the Labour and Trouble of Reading it, he might have it done by another, he said he would read it himself, which he did distinctly, and absolved his Lieges, Renounced, Quitted, and Swore, Read and Said other Things, and Subscribed his Name with his own Hand, as 'tis more fully contained in the Latin Record, the Tenor of which follows.

[3] Ib. n. 12.

The Resignation of Richard the Second.

IN [4] Name of God Amen, I Richard by the Grace of God King of England and France, and Lord of Ireland, do Absolve the Arch-Bishops, Bishops, and other Prelates whatsoever, of Churches Secular or Regular, of what Dignity, Degree, State, or Condition they are; Dukes, Marquesses, Earls, Barons, Vassals, Vavasors, and my Liege Men whatsoever, Ecclesiastick or Secular, by whatever Name they are called, from the Oath of Fealty and Homage, and all others to me made, and from all Bond of Ligeance, Regality, and Government or Command, by which they have been, or may be bound to me; and them, their Heirs, and Successors for ever from the same Obligations, Oaths, and other Things whatsoever, I free, release, and quit, and make them free, absolved, and quit, as to my Person, according to the whole Effect of the Law, which may follow from the Premises, or any of them; And I do purely, freely of my own accord, simply and absolutely, in the best Manner, Way, and Form that I can by this Writing, Renounce, wholly Resign, and by Word and Deed, put from me, and recede for ever, from all Royal Dignity and Majesty, the Crown and Lordship, and the Power of the said Kingdoms, and Lordship, and other my Dominions and Possessions which may any way belong to me, and to all Right, Colour of Right, and Title, Possession and Dominion, that I ever had, have, or may have, in the same or any of them; also the Go-

[4] Ib. n. 13.

vernment and Administration of the said Kingdoms and Lordship, and all mere and mixt Empire in the same; and to all Honour and Royalty therein, saving to my Successors Kings of England, in the Kingdoms, Dominions, and Premises, for ever their Competent Rights. And I do Confess, Acknowledge, Repute, and truly of certain Knowledge, Judge my self to be insufficient for the Government of the said Kingdoms and Dominions, and for my notorious Demerits not unworthily Deposed. And I Swear by these Holy Gospels of God by me Corporally touched, That I never will Contravene this Resignation, Renunciation, Dimission, and Cession, or will any way oppose them in Word or Deed by my self or others, nor will suffer them to be opposed or contravened, as much as in me is, publicly or privately, but the same Renunciation, Resignation, Dimission, and Cession, will for ever hold firm, and will firmly hold and observe them in the whole and every part, as God and his Gospels help me.

Ego Richardus Rex antedictus propria manu hic me subscribo.

I King Richard before said write my self with my own Hand.

[5] Ib. n. 14.

And [5] presently he added to his Renunciation and Cession, That if it was in his Power the Duke of Lancaster should succeed him, but seeing it was not, He desired the Arch-Bishop of York, and Bishop of Hereford, who he had appointed to declare his Renunciation and Cession to the States of the Kingdom, to intimate his Will and Pleasure to them; and as a further Mark of his Intention, he pulled his Signet Gold Ring off his own Finger, and put it upon the Dukes, desiring it might be made known to all the States of the Kingdom.

[6] Ib. n. 15.

On the Morrow, [6] being Tuesday, the Feast of St. Hierom, the Parlement met in Westminster-Hall, where the Arch-Bishop of York, and Bishop of Hereford, publicly declared the King's Cession and Renunciation, with the Subscription of the King's Hand; and also the delivery of the Signet to the Duke of Lancaster. The Cession and Renunciation was first read in Latin, then in English; and the States and People there present were asked, if for their own Interest, and the Profit of the Nation, they would admit the Cession and Renunciation, they unanimously answered, They would admit it.

[7] Ib. n. 16.

After [7] which Admission, it was publicly proposed, That besides that, it would be much expedient, and advantageous to the Nation, and to take away all scruples and sinister suspicions, that many Crimes and Defects committed by the said King during the time of his Government, for which, as confessed in his Cession, he might be worthily Deposed, might be drawn up in Writing, and publicly read and declared to the People. The Tenor of all which Articles is such.

Here the Entry upon the Roll is confused and impertinent, and such must be the Translation.

[8] Ib. n.

The Form [8] of the Oath which the Kings of England usually take at their Coronation follows, which is exacted and received from them by the Arch-Bishop of Canterbury, as it is contained

contained in the Pontifical Books of the Arch-Bishops and Bishops; Which Oath was received from Richard King of England, the Second after the Conquest, by the Arch-Bishop of Canterbury, and afterwards Repealed, as may be found upon Record in the Rolls of Chancery.

Thou [9] shalt wholly preserve the Peace of the Church, and People of God, and Concord in God, according to thy Power, and shall Answer, I will preserve them. Thou shalt cause to be done in all thy Judgments, equal and right Justice, and Discretion in Mercy and Truth according to thy Power, and shall Answer, I will do it. Thou dost Grant that just Laws and Customs are to be holden, and dost Promise to Protect and Confirm them to the Honour of God, which the Communalty have chosen, according to your Power, and shall Answer, I Grant and Promise.

[9] Ib. n. 17.

To these such Questions may be added which are just, which the King is to Confirm by his Oath upon the Altar before all Persons.

The Objections against the King concerning his Deposition do follow.

First, [1] It is Objected to King Richard, That for his Evil Government, by giving the Goods and Possessions of the Crown to Unworthy Persons, and indiscreetly dissipating of them; and for this cause imposing grievous and intolerable Burthens upon the People, and otherwise committing other innumerable Evils: Having by his Assent and Command, by the whole Parlement, chosen and assigned certain Prelates and other Lords Temporal, who with all their Power should faithfully labour, at their own Costs, about the just Government of the Kingdom, made a Conventicle of his Accomplices, proposing to impeach of High Treason the said Lords Spiritual and Temporal, so employed about the Government of the Kingdom, and violently drew the Justices of the Kingdom to Confirm his Wicked Purpose for fear of Death and Torment of Body, endeavouring to destroy the said Lords.

[1] Ib. n. 18.

Secondly, The same [2] King lately at Shrewsbury, caused to come before him, and others that favoured him, in a Chamber many Persons, and the greater part of the Justices, where, by Threats, and divers Terrors, he induced, caused, and forced them singly to Answer to certain Questions on his behalf, touching the Laws of his Kingdom, against their Will, and otherwise then they would have answered, had they not been forced; By Colour of which Answers the same King propounded to have proceeded to the Destruction of Thomas Duke of Gloucester, the Earls of Arundel, and Warwick, and other Lords, with whom he was very Angry, especially because they desired him

[2] Ib. n. 19.

him to be under *Good Government*; but by *Divine Providence*, and the Resistance and Power of the said Lords, the King could not bring his Design to effect.

[3] *Ibm.n.20.*

Thirdly, When the Lords [3] Temporal, in Defence of themselves, resisted his Malice and Craft, the said King prefixed a Day for the Parlement to do them and others Justice, who upon Faith and Confidence therein, remained quietly in their own Houses; the King privately, with his Letters or Commission, sent the Duke of *Ireland* into *Cheshire*, to raise Arms against the said Lords, Great Men, and Officers of the Commonwealth, Publicly exciting his Banners against the Peace he had Sworn to, from whence Homicides, Captivities, Diffentions, and other infinite Evils followed in the whole Kingdom, for which cause he incurred Perjury.

A

[4] *Ibm.n.21.*

Fourthly, That although the said [4] King had Pardoned the Duke of *Glocester*, the Earls of *Arundel* and *Warwic*, and all their Assistants in full Parlement, and for many Years had shewn cheerful Signs of Peace and Love towards them; yet the same King always bearing Gall in his Heart, taking Opportunity, caused to be seized the Duke of *Glocester*, and the said Earls of *Arundel* and *Warwic*; and sent the Duke to *Calais*, to be imprisoned under the Keeping of the Earl of *Nottingham*, one of his *Appellants*; and without Answer, or lawful Process, caused him to be strangled, and inhumanly and cruelly murdered. The Earl of *Arundel* Pleading his Charter of Pardon, and Demanding Justice in Parlement, was encompassed with great Numbers of Armed Men, and had his Head Damnablely struck off; and committed the Earl of *Warwic* and Lord *Cobham* to Perpetual Prison, confiscating their Lands, against Justice, the Laws of the Land, and his express Oath, giving them to their *Appellants*.

B

C

[5] *Ibm.n.22.*

Fifthly, At the time [5] when in his Parlement he caused the Duke of *Glocester*, and Earls of *Arundel* and *Warwic*, to be adjudged, that he might more freely exercise his Cruelty upon them; and in others fulfil his injurious Will, he drew to him a great multitude of Malefactors out of the County of *Cheshire*, who marching up and down the Kingdom with the King, as well within his own House, as without, cruelly killed his Lieges, beat and wounded others, plundering the Goods of the People, refusing to pay for their Victuals; violating and ravishing Men's Wives, and other Women. And although Complaints were made to the King of these Excesses, yet he took no care to apply Remedy, or do Justice in them; but favoured those People in their Wickedness, confiding in them and their Assistance against all others of his Kingdom; wherefore his Good Subjects had great matter of Commotion and Indignation.

D

E

[6] *Ibm.n.23.*

Sixthly, Though the said [6] King caused Proclamation to be made through the Kingdom, That he caused his Uncle the Duke of *Glocester*, and the Earls of *Arundel* and *Warwic*, to be Arrested not for any Rebellious Congregations, or marching with Horfe within the Kingdom; but for many Extorsions, Oppressions, and other things done against his Regality and Royal Majesty; And that it was not his Intention, that any

of

of their Company at the time of the Congregation and Marching with Horfe aforesaid, should for that Reason be Questioned or Disturbed: Yet the same King afterwards, in his Parlement, Impeached the said Lords; not for Extorsions, Oppressions, or other things aforesaid, but for Rebellious Tumults and Congregations and Marching with Horfe, adjudged them to Death; and caused many of their Company for fear of Death, to make Fine and Ransom as Traitors, to the great Destruction of many of his People; and so he craftily, deceitfully, and maliciously Deceived the Lords, their Followers, and People of the Nation.

A

Seventhly, After many of these [7] Persons who had paid their Fines and Ransoms, and had obtained his Letters Patents of full Pardon; yet they received no Benefit by them, until they made new Fines for their Lives, by which they were much impoverished: And this was much in Derogation to the Name and State of a King.

B

Eighthly, In the last [8] Parlement holden at *Stremsbury*, the same King propounding to Oppress his People, subtilly procured and caused to be granted, That the Power of Parlement, by Consent of all the States of the Kingdom, should remain in some certain Persons, who after the Parlement should be dissolved, might Answer the Petitions depending in Parlement, then undetermined, under pretence whereof they proceeded to other General Matters touching that Parlement, according to the King's Will, in Derogation to the State of Parlement, great Disadvantage to the Kingdom, and a pernicious Example. And that these Actions might seem to have some Colour and Authority, the King caused the Rolls of Parlement to be changed and blotteed, contrary to the Effect of the Grant aforesaid.

C

D

Ninthly, Notwithstanding the said King at his [9] Coronation sware, That he would do in all his Judgments equal and Right Justice and Discretion, in Mercy and Truth according to his Power; yet the said King, without all Mercy, rigorously amongst other things Ordained, under great Punishments; That no Man should intercede with him, for any Favour toward *Henry Duke of Lancaster* then in Banishment; in so doing, he acted against the Bond of Charity, and rashly violated his Oath.

E

Tenthly, That though the [1] Crown of *England*, the Rights of the Crown, and Kingdom it self, have been in all times so Free, as the *Pope*, or any other Foreign Power, had nothing to do in them; yet the said King, for the confirming of his erroneous Statutes, supplicated the *Pope* to confirm the Statutes made in his last Parlement; whereupon he obtained his Apostolic Letters, or Bull, wherein were contained grievous Censures against all such as should presume to contravene them. All which things are known to be against the Crown and Royal Dignity, and against the Statutes and Liberty of the Kingdom.

F

Eleventhly, Though *Henry* now Duke of *Lancaster*, [2] by the King's Command, exhibited his Bill or Accusation against the Duke of *Norfolk*, concerning the State and Honour of the King, and duly prosecuted it, so as he was ready to make it good by Duel, and the King had ordered it; yet the same

[7] *Ibm.n.24.*[8] *Ibm.n.25.*[9] *Ibm.n.26.*[1] *Ibm.n.27.*[2] *Ibm.n.28.*

His own Father John D. of Lancaster was the first Commifioner in this Judgment in Parlement.
See Pleas of the Crown.
21 Ric. II.
[3] Ib. m. n. 29.

[4] Ib. m. n. 30.

[5] Ib. m. n. 31.

[6] Ib. m. n. 32.

[7] Ib. m. n. 33.

[8] Ib. m. n. 34.

King put it by, and *without any lawful Cause Banished the Duke of Lancaster for Ten Years, against all Justice, the Laws and Customs of the Kingdom, and the Military Law*, Damnably incurring Perjury.

Twelfthly, After the said King had graciously granted [3] to the now Duke of Lancaster, by his Letters Patents, That while he was in Banishment his Attorneys might sue for Livery of any Inheritance might fall to him for which Homage was due, which should be respited for a reasonable Fine; he injuriously revoked those Letters Patents, against the Laws of the Land, incurring Perjury.

Thirteenthly, Notwithstanding it had been Ordained, [4] That every Year the King's Officers, with the Justices, and others of his Council, should Nominate and Chuse the Sheriffs of all Counties according to their Discretion; yet he Commanded others of his Party, and such as would do as he would have them, to be Sheriffs, to the great Grievance of his People, contrary to the Laws of his Kingdom, notoriously incurring Perjury.

Fourteenthly, That whereas [5] the said King Borrowed several Sums of Money from Lords and others by his Letters Patents, promising faithfully to pay them at a certain Term; he did not perform his Promise; whence his Creditors were much grieved; and not only they, but many others thought him an unfaithful King.

Fifteenthly, Whereas the Kings [6] of England used to live upon the Revenues of the Kingdom, and Patrimony of the Crown in time of Peace, without Oppression of his People; yet the same King during his whole time, gave the greatest part of his Revenue to unworthy Persons, and imposed Burthens upon his Subjects as it were every Year; by which he excessively oppressed his People, and impoverished his Kingdom; not employing these Goods to the Advantage of the Nation, but prodigally wasting them in Ostentation, Pomp, and Glory, owing great Sums for Victuals and other Necessaries of his House, though his Revenues were greater than any of his Progenitors.

Sixteenthly, The same King [7] not willing to keep and protect the Just Laws and Customs of his Kingdom, but do what he pleased; when those Laws were declared to him by the Justices and others of his Council, desiring Justice might be done accordingly, he said expressly with an austere Countenance, That the Laws were only in his Mouth and Breast; and that He only could Make and Change the Laws of this Kingdom. And being so seduced, he would not permit Justice to be done to many of his Lieges; but by Threats and Terrours, forced many to cease from the Prosecution of Common Justice.

Seventeenthly, That whereas [8] Laws made in Parlement do always bind, until revoked by another Parlement; yet the same King, desiring to enjoy such Liberty as no Laws might bind him, and to do what he pleased, he cunningly procured such a Petition, on behalf of the Community of his Kingdom, to be exhibited in Parlement, and to be granted, That

he might be as free as any of his Progenitors before him. By colour of which Petition and Grant, he often commanded and caused many things to be done contrary to the Laws not revoked, doing expressly and knowingly against the Oath taken at his Coronation.

Eighteenthly, Though it had been Ordained, [9] That no Sheriff should continue in his Office above a Year, and could not be again Chosen to that Office in three Years after, the same King, for his singular Profit, and sometimes for the Benefit of others, suffered some Sheriffs to remain in their Offices for two or three Years, contrary to the Tenour and Effect of the Statute, incurring Perjury; and this was Notorious, Publick, and Famous.

Nineteenthly, Although by Law and [1] Custom, the People ought to be free to Chuse Knights to represent them in Parlement, to *propound* their Grievances, and *provide* Remedies for them; yet the said King, that he might obtain his own rash Will in his Parlements, directed by Writs often to the Sheriffs, to send such as he Named, some of whom he induced by Favours, others by Threats and Terrours, others by Bribes, to consent to things Prejudicial to the Kingdom, and grievous to the People; and especially by granting to him the Subsidy of Wooll for his Life, and another Subsidy for certain Years, too much *oppressing* the People.

Twentiethly, The same King, [2] that in all things he might act Arbitrarily, unlawfully made and commanded all the Sheriffs to Swear beyond their usual Oath, That they would obey all his Commands sent to them under the Great Seal, Privy Seal, or Signet; and in case they should know any in their Bailiwicks or Jurisdictions, should speak any ill publicly or privately to the Disgrace or Scandal of the King's Person, they should arrest and commit them to Prison, there to remain while they received other Commands from the King, as it might be found upon Record; which Practice might likely tend to the Destruction of any of his Subjects.

21. The same King, [3] that he might supplant his People, and get their Estates to enrich himself, caused the People of Sixteen Counties, by Letters under their Seals, to submit to him as Traitors; by colour of which, he obtained of them great Sums of Money to procure his Favour: And although to please the People those Letters Obligatory were restored to them; yet their Procurators had full Power to bind themselves for them to the King, which he caused to be done; and so deceived his People, and subtilly extorted their Goods from them.

22. Although the same King [4] Swore at his Coronation to Preserve the Liberties granted to the Church of England; yet by reason of his Voyage into Ireland, he by his Letters Commanded many Religious Persons, Abbats and Priors, some to send him Horses, others Waggons, others great Sums of Money; and by his way of Writing, he forced many by Fear to comply with his Demands; whence they were impoverished and oppressed, in manifest derogation to Ecclesiastic Liberty; by which Pretext he incurred Perjury.

H h h

23. ' In

[9] Ib. m. n. 35.

[1] Ib. m. n. 36.

[2] Ib. m. n. 37.

[3] Ib. m. n. 38.

[4] Ib. m. n. 39.

- [5] *Ibm. n. 40.* 23. 'In many Great [5] Councils, when the Lords and Justices were charged to Counsel him faithfully, in things that he touched his own, and the State of the Kingdom, they were often so sharply rebuked and reprov'd, that they dare not speak Truth, in giving Advice concerning the State of the Kingdom.
- [6] *Ibm. n. 41.* 24. 'The Treasure, [6] Reliques, and Jewels of the Crown, which ought to be preserv'd in the Treasury for the Honour of the King, and Conservation of the Kingdom, if any thing might happen; the said King carried with him toward *Ireland*, without the Consent of the States of the Kingdom; whence the Kingdom had been greatly impoverish'd, *if God had not otherwise provided for the taking of those Goods from him against his Will.* And further, he caus'd the Records concerning the State and Government of his Kingdom to be rais'd, in great Prejudice of his People, and Disinheritance of the Crown, and very likely, as it was believed, for the Support of his ill Government.
- [7] *Ibm. n. 42.* 25. 'He was so Variable [7] and Dissembling in Words and Writing, and so Contrary to himself, specially in Writing to the Pope, Kings, and other Lords, without and within the Kingdom, and also to his Subjects, that no Man living, knowing what he was, could confide in him; yea, he was reputed so Unfaithful and Inconstant, that he was not only a Scandal to his own Person, but to the whole Kingdom, and all Strangers that knew him.
- [8] *Ibm. n. 43.* 26. 'Though the Lands, Tenements, [8] Goods and Chattels of all Free-men, by the Laws of the Land, ought not to be seiz'd without Forfeiture; yet the said King intending to enervate those Laws, in the Prefence of many Lords and others of the Community of the Kingdom, he often said and affirmed, That the Life of every Subject, his Lands, Tenements, Goods, and Chattels were his, to be dispos'd as he pleas'd without Forfeiture; which was altogether against the Laws and Customs of his Kingdom.
- [9] *Ibm. n. 44.* 27. 'Although it had been made a [9] Law, which had hitherto been confirm'd, That no Free-man might be taken, &c. nor any ways destroy'd, nor that the King should proceed against him, but by lawful Trial of his Peers, or the Law of the Land; yet according to the Will, Command, and Appointment of the said King, very many of his Lieges being maliciously accus'd, for having spoken publicly or privately Words that might tend to the Scandal and Disgrace of the King's Person, were taken, imprison'd, and brought before the Constable and Marshal in the Court Military; where being accus'd, they could not be admitted to give any other Answer than 'Not Guilty'; and could defend themselves no otherwise than by their Bodies, their Accusers being young Men, lusty, and sound; whereas they were old, impotent, lame, and infirm; from whence not only the Destruction of Lords and Great Men, but of singular Persons of the Community of the Kingdom very likely might have followed: When therefore the said King willingly contraven'd this Law, it was no doubt but he incur'd Perjury.

28. 'Altho the People of [1] *England*, by virtue of their Ligeance, were sufficiently bound to their King, and if they offend'd in any manner, he might Correct and Punish them by the Laws and Customs of the Kingdom; yet the said King desiring to supplant and too much oppress his People, that he might more freely execute, and be able to follow the Fancy of his foolish and unlawful Will, he sent his Letters into all Counties of his Kingdom, That all his Lieges, as well Spiritual as Temporal, should take certain Oaths in general, which were too burthensome to them, and which very likely might cause the final Destruction of his People, and that under their Letters and Seals they should confirm these Oaths; Which Command the People obeyed, lest they should incur his Indignation, and for fear of Death.
29. 'When the Parties [2] contending in the Ecclesiastick Court, in Causes merely Ecclesiastick and Spiritual, endeavour'd to procure Prohibitions to hinder Process in the same from the Chancellor of *England*, who out of Justice refus'd to grant them, yet the same King often granted them under his Signet, wickedly infringing the Church Liberties granted in *Magna Charta*, which he had Sworn to Preserve, damnably incurring Perjury, and the Sentence of Excommunication Pronounced by the Holy Fathers against the Violators of Church Liberties.
30. 'The said King in Parlement, [3] compass'd about with Armed Men, without Reasonable Cause or Legal Process, contrary to the Laws of the Kingdom, Banish'd *Thomas Arundel* Arch-Bishop of *Canterbury*, and his Spiritual Father, being then absent by his Contrivance.
31. 'Upon perusal of the said [4] Kings Will under his Great Seal, Privy Seal, and Signet, there was in it this Clause. Also we Will, That the Debts of our House, Chamber, and Wardrobe being paid, for which we allow Twenty thousand Pounds, and the Leprose, and Chaplains we appointed to be maintained at *Westminster*, and *Bermondsey*, for which we allow Five or six thousand Marks. The Residue of our Gold shall remain to our Successor, upon Condition he Approves. Ratifies, Confirms, Holds, and causeth to be Holden and Observed, all Laws, Statutes, Ordinances, and Judgments, made, had, or done, in the Parlement held at *Westminster* on the 17th of September, in the 21st of our Reign, and continued or adjourn'd to *Shrewsbury*, and all things done at *Coventry* on the 16th of September, in the 22d of our Reign, as also what was done at *Westminster* on the 18th of March, in the same year, by Authority of the same Parlement. But if he shall Refuse to do these things, then we Will that *Thomas* Duke of *Surrey*, *Edward* Duke of *Anmarle*, *John* Duke of *Excester*, and *William le Scrop* Earl of *Wiltshire*, my Debts, &c. as aforesaid being paid, shall have the said Residue for the Defence of the Statutes, Ordinances, Judgments, and Stabiliments aforesaid, to the utmost of their Power, yea, to Death, if it be necessary. Upon all which things we burthen their Consciences, as they will Answer it at the Day of Judgment. By which Article it appears evidently, That the same King endeavour'd pertinaciously to maintain those Statutes and Ordinances, which were Erroneous, Wicked,

Wicked, and Repugnant to all Law and Reason, not only in his Life, but after he was Dead, neither regarding the Danger of his Soul, or the utmost Destruction of his Kingdom or Liege People.

[5] Ib. n. 49.

32. 'In the Eleventh year of the said [5] King Richard, at his Mannor of *Langley*, in the presence of the Dukes of *Lancaster* and *York*, and many other Lords, desiring, as it seemed, That his Uncle the Duke of *Glocester*, there also present, might Trust and have Confidence in him, of his own accord, Sware upon the Venerable Sacrament of the Lords Body placed upon the Altar, That he would pardon unto him all things which were said to be committed against his Person, and that he should never receive any Damage for them; yet afterwards the said King, notwithstanding this Oath, caused the Duke for those Offences horribly and cruelly to be Murdred, damnably incurring the Guilt of Perjury.

[6] Ib. n. 50.

33. 'After a Knight of the Shire, [6] who had a Vote in Parlemt, impeached the Arch-Bishop of *Canterbury* publicly before the King and all the States of the Kingdom, upon certain Defects committed against the King, with little Truth, as 'twas said: Altho he offered presently to answer what was objected against him, and desired to be admitted by the King so to do, sufficiently trusting, as he said, to demonstrate his Innocency, yet the same King contriving by all the Ways and Means he could to oppress and reduce to nothing the State of the Arch-Bishop, as the Event shewed, kindly spake to, and earnestly desired him, that he would say nothing then, but expect a more fit time: That day being past, for five days and more together, the King deceived him, advising and perswading him not to come to Parlemt, but to remain at his own House, promising, that in his absence he should not receive injury; but the said King in that Parlemt Banished the Arch-Bishop during his Pleasure, being absent, and not called to answer, without any reasonable Cause, confiscating all his Goods against the Laws of the Land and all Justice, by which he incurred Perjury. Further, the King intending to palliate his inconstancy, by flattering Words endeavoured to cast the Injury done him upon others: Whence the Arch-Bishop having Discourse with the King, the Duke of *Norfolk*, other Lords, and Great Men, lamenting said, He was not the first had been Banished, nor should be the last, for that he thought within a short time the Duke of *Norfolk*, and other Lords, would follow him; and constantly told the King, That the Consequences of the Premises would fall upon his own Head at last; To which the King, as if he had been astonished, presently answered, he thought it might so happen, he might be expelled his Kingdom by his Subjects; and further said, if it should be so, he would go to the Place where he was; and that the Arch-Bishop might believe him, he shewed him a great Jewel of Gold, which he would send to him as a Token, that he would not defer his coming to the Place where he was. And that the same Arch-Bishop might have greater Confidence in him, he sent to him, advising him, That he should privately send all the Jewels belonging to his Chapel to be safely kept, left under the

'the colour of the Judgment of Banishment they might be seized; it being so done, the King caused the Goods to be put in Coffers, which he caused to be Locked, and Sealed by one of the Arch-Bishops Clerks, by whom he sent the Keys to him; and afterwards caused the Coffers to be broken, taking the Goods, and disposing of them as he pleased; The same King also faithfully promised the Arch-Bishop, That if he would go to the Port of *Hampton*, in order to go out of the Kingdom, that by the Queen's intercession he should be recalled; And if it should so happen as he should go out of the Kingdom, yet after *Easter* next coming, without fail, he should return into *England*, nor should he any way loose his Arch-Bishoprick: This he faithfully Promised, Swearing to it, touching the Cross of *Thomas* the Martyr Arch-Bishop of *Canterbury*: Which Promises notwithstanding, the King caused the Arch-Bishop to go out of the Kingdom, and wrote to the Pope for his Translation; and thus, and otherwise, by the Frauds and Cheats of the King, was the Arch-Bishop, a Man of good Faith, craftily Circumvented.

These were the Thirty three Articles read in the Parlemt against King Richard.

C 'And because it seemed [7] to all the States of the Kingdom, it being singly and in common propounded to, and asked of them, That these Causes of Crimes and Defects were sufficient and notorious to Depose the same King, his Confession also, and other things considered, contained in his Renunciation and Cession; all the States aforesaid unanimously consented, to proceed to the Deposition of him, for the greater Security, and Tranquility of the People, and Profit of the Kingdom, and accordingly appointed certain Commissioners, the Bishop of *Asaph*, the Abbat of *Glastonbury*, the Earl of *Glocester*, the Lord Berkeley, *Thomas Eryngbam*, and *Thomas Grey*, Knights, and *William Thirnyng* Justice, to pronounce Sentence of Deposition against King Richard, from all Royal Dignity, Majesty, and Honour, in the Name, and by Authority of all the States, as in like Cases, according to the ancient Custom of the Kingdom had been observed. The Commissioners take upon them their Charge, and the Commission being drawn up in Writing, the Bishop of *Asaph* read it in these Words:

[7] Ib. n. 51.

In the Name of God, Amen: [8] We John Bishop of *Asaph*, John Abbat of *Glastonbury*, Thomas Earl of *Glocester*, Thomas Lord Berkeley, Thomas de *Eryngbam*, and Thomas Gray, Knights, and William Thirnyng Justice, by the Spiritual and Temporal Peers and Great Men of the Kingdom of *England*, and by the Communities of the same, representing all States thereof, being specially deputed Commissioners for the things underwritten, duly considering the many Perjuries, Cruelty, and many other Crimes committed by King Richard in the time of his Government, and publicly Exhibited and Recited before the States, which were so publick, notorious, manifest, and famous, as they could no way be denied; and also his Confession, acknowledging, and truly of his own certain knowledge

[8] Ib. n. 52.

judging himself to have been altogether insufficient for the Government of the Kingdoms and Lordship aforesaid; and that for his notorious Demerits he was worthy to be Deposed; which things by his own Will and Command were published before the States. Having had diligent Deliberation upon these things, for the greater Caution to the Government of the Kingdoms, and Dominion aforesaid, the Rights and Appertinences of the same, in the Name and Authority to us committed, do Pronounce, Decree, and Declare, that very Richard to be Deposed deservably from all Royal Dignity and Honour, and for the like Caution, we Depose him by our Definitive Sentence in this Writing, expressly inhibiting all and singular Arch-Bishops, Bishops, and Prelates, Dukes, Marquesses, Earls, Barons, Knights, Vassals, and Vassalors, and all other Men and Subjects of the said Kingdoms and Dominion or Places belonging to them, for the future to obey the said Richard as King.

[9] Ib. n. 55. 'Furthermore, the said States [9] desiring there might be nothing wanting, which was or might be required in this Matter, being severally asked, agreed to certain Persons to be their Proctors or Agents, named by the Commissioners, to go to King Richard to resign their Homage and Fealty had been made to him, and give him notice what had been concerning his Deposition and Renunciation.

[1] Ibid. 'And presently it appeared from the [1] Premises, and the Occasion thereof, That the Kingdom of England was vacant, when Henry Duke of Lancaster rising from his Seat, and standing so right up, as he might sufficiently be seen of the People, humbly crossing himself in his Forehead and Breast, first calling upon the Name of Christ, challenged the Kingdom of England, being void, with the Crown, and all its Members, and Appertinences, in his Mother Tongue, (*lingua materna*) in this Form of Words.

[2] Ibid. 'In the Name of Father, [2] Son, and Holy Ghost, I Henry of Lancaster, challenge this Rewme of England, and the Crowne, with all the Members, and the Appurtenances, als I am descendit by ryght lyne of the Blode coming fro the Gude Lord King Henry therde, and thoghe that ryght, that God of his grace hath sent me, with helpe of my kyn and my frendes to recober it; The which Rewme was in poynt to be undone for default of Governance, and undoying of the gude Lawes.

[3] Ibid. n. 54. 'After this Claim, [3] as well the Lords Spiritual as Temporal, and all States there present, were asked, one by one, what they thought of it, who without any difficulty or delay, unanimously consented the Duke should Reign over them; and immediately, so soon as he shew the States of the Kingdom, King Richard's Signet, which he gave him as a Token of his Intention, as was said before, the Arch-Bishop taking King Henry by the Right Hand, led him to the Royal Throne, and when the same King had Kneeled, and Prayed a while before it, the Arch-Bishop of Canterbury, the Arch-Bishop of York assisting him, placed him therein, the People for great Joy Shouting mightily.

When

'When the Shouting was over, [4] the Arch-Bishop of Canterbury made a short Preachment, or Collation, as 'tis called upon the Roll; his Text, or Theme, was, *Vir dominabitur Populo*, 1 Sam. c. 9. v. 17. The English Version of the whole Verse, according to the Vulgar Edition, runs thus: And when Samuel saw Saul, the Lord said unto him, Behold the Man whom I spake to thee of, this same shall Rule over my People; *Iste dominabitur Populo meo*.

'In this Collation he makes a Comparison between King Richard, who he makes a Child, and his whole Government a Childish Acting, and King Henry a Perfect Wise Man. In this Comparison he makes use of several Places of Scripture, but how properly, or how to the purpose, belongs not to this Place to say: At length he insinuates, That by Childish Government the Nation had been in great Danger; but now they were freed from it, because a Man will Reign; to wit, he that says not as a Child, but one of Perfect Reason: I came not to do my own Will, but the Will of him that sent me, that is, God: And therefore we may not only say of this Man, That he will think of things in Wisdom, but also as a Man, and not as a Child; (*In sensu cogitabit circumspectionem Dei*) He will in earnest think of the Circumspection or Providence of God; (*id est, circumquaque diligenter aspiciet ut Dei voluntas non sua fiat*;) that is, he will look diligently every way about him, that God's Will, not his own, may be done; and so in the Place of a wanton Child, a Man Rules over the People, and such a Man, that it may be said, The King shall Reign, and he shall be a Wise Man, and do Judgment and Justice in the Land.

'Which Collation ended, [5] King Henry, to quiet the Minds of his Subjects, said publicly these Words:

S I R E S,

I Thank God and some Spiritual and Temporal, and all the Estates of the Lond, and do some to wyte, it es noght my Will that no Man thynk that be waye of Conquest I wold Disberit any Man of his Heritage, Franches, or other Ryghts that hym aght to have, no put hym out of that that he has, and has had by the gude Lawes and Custumes of the Rewme, except those Persons that has ben agan the gude Purpouse and the comune Profit of the Rewme.

'And forthwith [6] it being considered that the Throne being Vacant, by the Cessation and Deposition of King Richard, the Power of all the Justices, Sheriffs, and other Officers through the Kingdom ceased, lest Justice might be delayed to the Grievance of the People, he Named his Principal Officers and Justices, who took the usual Oaths. And forthwith Proclamation was made by the King's Command, That on Monday next after the Feast of St. Michael, a Parlement should be held in that Place; and that on Monday next following, on the Feast of St. Edward the Coronation should be at Westminster; and that who claimed any Service, then might put in their Petitions before the Steward, Constable, and Marshall of England, where they should receive full Justice. And for the shortness of Time assigned for the Sitting of the Parlement, the King made Proclamation

[4] Ib. n. 55.

[5] Ib. n. 56.

[6] Ib. n. 57.

station, it was not his Intention it should be any Prejudice to the States of his Kingdom, or that it should be made an Example for the future; but that it was only for the Profit of the Kingdom, and specially to spare the Labour and Expences of his Lieges, and that the Grievances of the People might have speedy Remedy.

[7] Ibid. n. 58.

All which things being finished, [7] the King rose from his Throne, and beholding the People with a cheerful Countenance departed, and the same Day in the White Hall (in Alba Aula) he had a great Entertainment for the Noble and Gentlemen, who were there in great Numbers.

These things were done on Tuesday the 30th of September.

[8] Ibid.

And afterwards on the next day, [8] being Wednesday, the Deputies or Proctors before mentioned, went to Richard late King in the Tower, as they had been enjoined, William Thirnyng Justiciary, for himself and Fellow-Proctors, in the Name of all the States and People, notified to Richard, and fully declared the Admission of his Renunciation, and the Manner, Cause, and Form of the Sentence of his Deposition; and presently Refigned the Homage and Fealty that had been made to the late King Richard, as follows.

[9] Ibid. n. 59.

The Words [9] which William Thirnyng spake to Monsieur Richard late King of England, at the Tower of London in his Chamber there, on * Wednesday next after the Feast of St. Michael the Archangel.

SIRE,

It is wel known to zowe, That ther was a Parlement somond of all the States of the Reame for to be at Westmynstre, and to begynne on the Tuseday in the morrow of the Fest of Seint Michell the Archangell that was yesterday, by cause of the whiche Sommons, all the States of this Lond were there gadyrd; the whiche States hole made ther same Persones that ben comen here to zowe nowre her Procuratours, and gaffen hem full Autorite and Power, and charged hem for to say the Wordes that we fall say to zowe on her Name, and on their Behalve; that is to wyten, The Bishop of St. Asla for Ershibshoppes and Bisshoppes; the Abbot of Glaffenbury for Abbotes and Priours, and all other Men of Holy Chirche Sculders and Rewelers; the Erle of Gloucestre for Dukes and Erles; the Lord of Berkeley for Barones and Banerettes; Sire Thomas Ipyngham Chamberleyn for all the Bachilers and Commons of this Lond be South, Sire Thomas Grey for all the Bachilers and Commons by North, and my Felawe Johan Markham and me for to come with hem for all the States; And so, Sire, these Wordes, and the doing that

* Note, this Wednesday was Octob. 1.

that we fall say to zowe, is not onlych our Wordes, bot the Wordes and the Doings of all the States of this Lond, and our Charge and in her Name. And he answered and said, That he wylt wele, that we wold not say but as we were charged. Sire, ze remembre zowe wele, That on Monday on the Fest of St. Michell the Archangell, ryght here, in this Chambre, and in what Prefence ze Renounced and Cessed of the State of Kyng and Lordeship, and of all the Dignite and Wyrshipp that longed therto, and affoiled all your Lieges of her Legiance and Obyssance that longed to zowe uppe the Forume that is contened in the same Renunciacion and Cession, whiche ze redde your self by your Mouth, and affermed it by your Otbe and your own Writing; upon which ze made and ordeyned your Procuratours the Ershysbopp of Lork, and the Bysbopp of Hereford, for to notifye and declare in your Name thes Renunciacion and Cession at Westmynstre, to all the States and all the People that was ther gadyrd bycause of the Sommons forsayd; the whiche was done yesterday by thes Lordes your Procuratours, and wele herde and underfonden, thes Renunciacion and Cession were pleinelich and frelich accepted, and fullich agreed by all the States and People forsayd. And over this, Sire, at the instance of all thes States and People there were certain Articles of Defaults in your Governance redde there, and though wele herde and pleinelich underfonden to all the States forsayd, hem thought hem so trewe and so notoric and knownen, that by the Causes, and by no other as thes sayd, and having consideration to your owne Wordes in your own Renunciacion and Cession, that ze were not worthy, no sufficient ne able for to Govern for your owne Demerites, as it is more pleinerlich contened therein, hem thought that was reasonable and cause for to Depose zowe, and her Commissaries that her made and ordeined, as it is of Record ther declared and decreed, and adjudged zowe for to be Deposed and Pryved, and in dede Deposed zowe and Pryved zowe of the Astate of Kyng, and of the Lordeship contened in the Renunciacion and Cession forsayd, and of all the Dignity and Wyrshipp, and of all the Administration that longed therto. And we Procuratours to all thes States and People forsayd, as we be charged by hem, and by hir Autorite gyffen us and in her Name, zelde zowe uppe for all the States and People forsayd Homage Liege, and Feaute and all Legeance and all other Bondes, Charges, and Services that longe therto; And that non of all thes States and People fro this tyme forward ne bere zowe Feyth, ne do zowe Obyssance or to thar Kyng. And be answered and seyde, That he loket not therafter; but he seyde, That after all this, he hoped that is Colyn wold be good Lord to hym.

And further to compleat his Desighn, on the [1] 30th of September, he, by Information of the Arch-Bishop, That by the Acceptation of the Renunciacion of King Richard, his Cession and Deposition, this Parlement was determined, issued in his own Name Writs to the Lords, and for Elections of Members, Knights, Citizens, and Burgeses of the House of Commons, to meet on Monday next following, being the Day of St. Faith; and all this to be done, and Returns made in six Days time. So as thes were the same Members who had been Summoned by King Richard to meet on the morrow of St. Michael, as appears beyond Contradiction from the Writs [2] for their Expences, which were Dated on the 19th of November, the last Day of the Parlement, and they were allowed their Expences for Fifty one Days, besides the time of coming to, and returning from Parlement; in which Fifty one Days

I i i

was

[1] Rot. Claus.
1 Hen. IV.
part 1. M. 37.
Derf.
Summons of
Parliament.

[2] Append.
n. 214.

was included the 30th of September, and all the Days between that and St. Faith's Day, the 6th of October, to make up the Number.

[3] Rot. Parl. 1 Hen. 4. n. 1. Promulgation du Parlement, or Declaration of Cause of Summons. The Cause of Summons.

In this Parlement [3] Summoned and Holden at Westminster by King Henry IV. on Monday, the Day of St. Faith, which was the 6th of October, in the first Year of his Reign, sitting on his Royal Seat in the Great Hall at Westminster, in the Presence of him and all the Lords Spiritual and Temporal, and Commons, and many other Gentlemen and Commons in great Number, Thomas de Arundel Arch-Bishop of Canterbury declared the Cause of Summons, and rehearsed how on Tuesday last past, on the morrow of St. Michael, King Richard II. after the Conquest, summoned his Parlement to be then holden, which Summons was of no force or effect, by reason of the Acceptation of the Renunciation made by King Richard, and the Deposing of him, as without doubt he had informed King Henry before he issued his Writs for this Parlement. And then proceeds, That on the same Tuesday,

[4] Ibm. n. 2.

[4] in Presence of King Henry, the Lords Spiritual, Temporal, and Commons, he shewed, that this Honourable Kingdom of England, being the most abounding Angle with Riches, had been a long time Governed by Children and the Counsels of young People, so as the Kingdom was in point of Perdition and great Desolation and Mischief, mightily to be lamented, if it had not been that Almighty God of his Great Grace and Mercy had sent a Knowing and Discreet Man for the Government of the Nation, who by the Aid of God will be Governed and Counsell'd by the Sages and Ancients of his Kingdom, for the Aid and Comfort of himself and the whole People. And said further, That Men ought especially to consider how this Honourable Kingdom could so long continue under such mischievous Government, Waste, and Destruction, which if it had been under Good and Just Government, by Sage and Sufficient Counsel, as it ought of Right, it would have been in Riches, Goods, and other Advantages the most considerable of any Kingdom in the World;

[5] Ibm. n. 3.

[5] (*Et sur ceo mesme Lercevesque prist par son Theame le Parole de Machabeorum primo in discent Intumbit nobis ordinare pro Regno.*) And then the Arch-Bishop took for his Theme the Words in the first of Machabees, saying, *Incumbit nobis ordinare pro Regno*, 1 Mac. Chap. 6. Vers. 57. They are the last Words of a very long Verse, and nothing to his Purpose, nor what went before, or what follows after. The English Version is thus: *The Affairs of the Realm depend upon us.* But to go on with his Harangue, *Incumbit nobis ordinare pro Regno* (*cest a dire*, &c.) That is to say, It is the King's Will to be Counsell'd and Governed by the Honourable Sages and Discreet Persons of his Kingdom, and by their Common Counsel and Assent, do the best for the Government of himself and his Realm, not desiring to be Governed by his own Will, voluntary Purpose, or singular Opinion, but by Common Advice, Counsel, and Assent, as above said. And the same Arch-bishop said further (*& mesme Lercevesque dit outre*) There was not such a Kingdom in the World, that could live without the Assistance of other Kingdoms, so Honourably, so Graciously, and so Fully (*si honouurablement, ne gracieusement, ne plentouement*) as might the Honourable Kingdom of England, which God keep

safe

safe and maintain. [6] And upon this he alledged certain Authority, saying, *Quod inter omnia regna hoc principatum tenet*, Of all Kingdoms this is the chief; and shewed, That to the Government of every Kingdom, Three things especially were required, that is to say, Justice, The Observation of the Laws, And, that every Person should rule and govern himself according to his Estate, and Degree, alledging many Causes for which this Kingdom ought to be graciously cherished and held in the greatest Honour: And said further, it was the King's Will to make good these Three things by the help of God; and further said, That it was the King's Will in especial, that Holy Church should have and enjoy all her Liberties and Franchises; and that all the good Statutes and Ordinances made in the time of his Noble Progenitors, should be firmly observed and kept, and that all the Lords Spiritual and Temporal, Cities and Burghs, and all others, should have and enjoy their Liberties and Franchises, according to the Grants made by his Noble Progenitors above said. And that no Man ought to speak of, or Censure any thing done this Parlement, for it was the Will of the King in his Faith and Conscience to do equal Justice to all Parts, according to the Will, Aid, and Grace of God given unto him. This was the Arch-Bishops Discourse upon his Theme: [7] And then he told the Lords and Commons, That on Monday next King Henry, by the Grace of God, purposed to be Crowned at Westminster, for the

[6] Ibm. n. 4.

[7] Ibm. n. 5.

Performance of which Solemnity, Advice and Deliberation ought to be had in divers manners the mean time, and therefore on behalf of the King he requested them to continue the Parlement (*de continuer cest Parlement*) until Tuesday the Morrow after the Coronation, and after that day forward the King would use his Diligence for the Exploit of Parlement, (*& que de celle jour en avant mesme le Roy ferroit sa diligence par lesploit de Parlement*) that is, for the Dispatch of Parlement Business. Whereupon, by the King's Command, Henry Percy Earl of Northumberland and Constable of England, asked all the Lords Spiritual and Temporal and Commons, if they agreed to the Continuance, who severally Examined, (*queux ont severalement examinez*) agreed to the said Continuance.

After this follows the Names of the Triers of Petitions in Parlement, and the whole Process against Richard the Second, thro Transacted on Michaelmas-Day and the day following, a Week before this Parlement began, as hath been shewn.

And immediately the [8] whole Parlement of the 21st of Richard the Second, with all Circumstances and Dependences thereupon, were revoked and annulled for ever.

And the Parlement holden [9] in the Eleventh year of King Richard the Second was revived and confirmed to be kept according to the effect and purport of the same, as being for the good and common profit of the Kingdom (*par le bien & commune profit du Roialme.*)

The Lords and others [1] and their Heirs, &c. that were forejudged in the 21st of Richard the Second, are restored to the same State and Condition they were in at the time of their Judgments given.

I i i 2

Upon

[8] Rot. Parl. 1 Hen. IV. n. 66.

The Parlement 21st of Rich. II. annulled.

[9] Ibm. n. 67. The Parlement of the 11th of Richard II. confirmed.

[1] Ibm. n. 68. The Lords and others Judged 21st of Rich. II. restored, &c.

[1] lb. n. 71.
Henry's Eldest
Son made
Prince of
Wales, and
Heir of the
Crown.

[3] Appen.
n. 115.

[4] See Appen.
above.
King Richard
ordered to be
imprisoned.

The Bishop of
Carlisle's
Speech there-
upon.

[5] p. 100, 101,
102, &c.

The Speech.

Upon [2] the Motion of the Arch-Bishop of Canterbury, the Lords and Commons having severally been asked about the King's Eldest Son, answered and assented, That Henry h's Eldest Son should be made Prince of Wales, Duke of Cornwall, and Earl of Chester, and also if his Father should dye, he being alive, they would accept him as Right Heir of the Kingdom and Crown, and obey him as their King and Liege.

On Thursday the 23d of October [3] the Arch-Bishop of Canterbury, on behalf of the King, charged all the Lords Spiritual and Temporal, and all others there, being upon their Allegiance, that what should be then spoken or propounded should be kept secret, and no ways discovered to any Man living; and then it was demanded by the Earl of Northumberland, for the security of the King, and all the Estates of the Kingdom, what should be done with King Richard, to keep him in safe-guard, saving his Life, which the King would have done by all means. To which Question all the Lords Spiritual and Temporal, whose Names do there [4] follow, being severally Examined, answered it seemed to them, he should be put into safe and secure Guard, and in such a Place where there was no Concourse of People, and that he be kept by sure and sufficient Persons, and that none that had been Servant to him, should be about his Person, and this should be done in the most secret manner that might be.

Upon propounding this Question, Thomas Merks Bishop of Carlisle, gave his Reasons against these Proceedings in the following Speech, as it is to be found in the First Part of Sir John Hayward's [5] Life of Henry the Fourth, Printed at London 1599.

' This Question. Right Honourable Lords, concerneth a Matter of great Consequence and Weight; the determining whereof will assuredly procure, either safe Quiet, or dangerous Disturbance, both to our particular Consciences, and also to the Common State: Therefore before you resolve upon it, I pray you call to your Considerations these Two things: First, whether King Richard be sufficiently Deposed, or no? Secondly, whether King Henry be with good Judgment, or Justice, chosen in his Place? For the first Point we are to Examine, Whether a King being lawfully and fully instituted by any just Title, may upon imputation either of Negligence, or of Tyranny, be Deposed by his Subjects? Secondly, What King Richard hath omitted in the one, or committed in the other, for which he should deserve so heavy Judgment? I will not speak what may be done in a Popular State, or in a Consular, in which although one beareth the Name and Honour of a Prince, yet he hath not Supreme Power of Majesty; but in the one the People have the highest Empire, in the other the Nobility and Chief Men of Estate, in neither the Prince. Of the first sort was the Commonwealth of the Lacedemonians, who after the Form of Government which Licurgus framed, often-times Fined, often-times Fettered their Kings, and sometimes Condemned them to Death: Such were also in Cesar's time, the Petty King's of every City in France, who were many times Arraigned upon Life and Death, and (as Ambiorix Prince of Leodienfes confessed)

Tranquil, in
Caligula's Testi-
tus in praesentia.

' feth) had no greater Power over the People, then the People had over them. Of the second Condition were the Roman Emperours at the first, of whom some, namely, Nero and Maximinus were openly condemned, others were suddenly surprized by Judgment and Authority of the Senate; and such are now the Emperours of Germany, whom the other Princes by their Aristocratical Power do not only restrain, but sometimes also remove from their Imperial State; Such are also the Kings of Denmarke, and Swevelande, who are many times by the Nobility dejected, either into Prison, or into Exile; Such likewise are the Dukes of Venice, and of some other Free States in Italy; and the chief Cause for which Lewis Earl of Flanders was lately expelled from his Place, was for drawing to himself Cognisance in Matters of Life and Death, which high Power never pertained to his Dignity.

' In these and such like Governments, the Prince hath not Regal Rights, but is himself subject to that Power which is greater then his, whether it be in the Nobility or in the Common People; but if the Sovereign Majesty be in the Prince, as it was in the Three first Empires, and in the Kingdoms of Judea and Israel, and is now in the Kingdoms of England, France, Spain, Scotland, Muscovia, Turkey, Tartaria, Persia, Aethiopia, and almost all the Kingdoms of Asia and Africa; altho for his Vices he be unprofitable to the Subjects, yea hurtful, yea intolerable; yet can they Lawfully neither harm his Person, nor hazard his Power, whether by Judgment, or else by Force; for neither one, nor all Magistrates, have any Authority over the Prince, from whom all Authority is derived, and whose only Presence doth silence, and suspend all inferior Jurisdiction and Power. And as for Force, what Subject can attempt, or assist, or counsel, or conceal Violence against his Prince, and not incur the high and heinous Crime of Treason.

' It is a common saying, Thought is free; free indeed from Punishment of Secular Laws, except by Word or Deed it break forth into Action; Yet the secret Thoughts against the Sacred Majesty of a Prince, without attempt, without endeavour, have been adjudged worthy of Death; and some who in Auricular Confession have discovered their Treacherous Devices against the Person of their Prince, have afterwards been Executed for the same. All Laws do exempt a Mad Man from Punishment, because their Actions are not governed by their Will and Purpose, and the Will of Man being set aside all his Doings are indifferent, neither can the Body offend, without a corrupt or erroneous Mind; yet if a Mad Man draw his Sword upon his King, it hath been adjudged to deserve Death. And lest any Man should surmise, that Princes, for the Maintenance of their own Safety and Sovereignty, are the only Authors of these Judgments, let us a little consider the Patterns and Precepts of Holy Scripture. Nebuchadnezzar King of Assyria wasted all Palestine with Fire and Sword, oppugned Hierusalem a long time, and at last expugned it, slew the King, burnt the Temple, took away the Holy Vessels and Treasure, the rest he permitted to the Cruelty and Spoil of his Unmerciful Soldiers, who defiled all Places

Places with Rape and Slaughter, and ruinated to the Ground that flourishing City. After all the glut of this Bloody Butchery, the People which remained, he led Captive to *Chaldea*, and there erected his Golden Image, and commanded, That they which refused to Worship it, should be cast into a Fiery Furnace.

What Cruelty, what Injustice, what Impiety is comparable to this? And yet God calleth *Nebuchadnezzar* his Servant, and promiseth him Hire and Wages for his Service: And the Prophets *Jeremiah* and *Baruch*, did write unto the Jews, to pray for the Life of him, and of *Baltassar* his Son, that their days might be upon Earth as the days of Heaven: And *Ezekiel* with bitter Terms abhorreth the Disloyalty of *Zedechia*, because he revolted from *Nebuchadnezzar*, whose Homager and Tributary he was. What shall we say of *Saul*? Did he not put all the Priests to Execution, because one of them did Relieve Holy and Harmless *David*? Did he not violently Persecute that his most Faithful Servant and Dutiful Son in Law? During which Pursuit, he fell twice into the Power of *David*, who did not only spare, but also Protect the King, and proved the Pretorian Soldiers for their Negligent Watch, and was touched in the Heart for cutting away the lap of his Garment; and afterwards caused the Messenger to be slain, who

So did Domitian put to death Epaphroditus, Nero's Libertine, because he helped Nero (although in Love) to kill himself. So did Seerus kill all the Killers of Pertinax his Predecessor; and likewise Vitellius did put to Death all the Murderers of Galba. Theophilus Emperor of Græcia caused all those to be slain, who had made his Father Emperor by killing Leo Armenius. And Alexander the Great put to cruel Execution those that had slain Darius, his Mighty and Morral Enemy.

*Deut. 17. 12.
Psal. 105.
Exod. 22. 28.
A. 23. 5.
Roman. 13. 1, 13.
Titus 2. 1.
1 Pet. 2. 13, 14, 17.
2 Tim. 2. 2.*

*Rom. 13. 2.
John 19. 11.*

Ezay 45. 1.

2 Chron. 36. 22.

upon Request, and for Pity, had lent his Hand (as he said) to help forward the voluntary Death of that Sacred King. As for the contrary Examples, as that of *Jehu*, who slew *Jehoram* and *Achaziah* Kings of Israel and *Juda*, they were done by exprefs Oracle and Revelation from God, and are no more set down for our imitation, then the Robbing of the *Ægyptians*, or any other Particular and Priviledged Commandment; but in the general Precept, which all Men must ordinarily follow, not only our Actions, but our Speeches also, and our very Thoughts are strictly charged with Duty and Obedience unto Princes, whether they be Good or Evil: The Law of God ordaineth, That he which doth Presumptuously against the Ruler of the People shall dye: And the Prophet *David* forbiddeth, to touch the Lords Anointed. Thou shalt not (saith the Lord) rail upon the Judges, neither speak Evil against the Ruler of the People. And the Apostles do demand further, That even our Thoughts and Souls be obedient to Higher Powers. And left any should imagine, that they meant of good Princes only, they speak generally of all, and further to take away all doubt, they make exprefs mention of the Evil. For the Power and Authority of Wicked Princes, is the Ordinance of God; and therefore Christ told *Pilate*, That the Power which he had, was given him from above; and the Prophet *Ezay* calleth *Cyrus*, being a Prophane and Heathen Prince, the Lord's Anointed. For God stirreth up the Spirit, even of Wicked Princes, to do his Will, and (as *Jehosaphat* said to his Rulers) they execute not the Judgment of Man, but of the Lord; in regard where-

A

B

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of *David* calleth them Gods, because they have their Rule and Authority immediately from God; which if they abuse, they are not to be adjudged by their Subjects, for no Power within their Dominion is superior to theirs, but God reserveth them to the sorest Tryal: Horribly and suddenly (saith the Wiseman) shall the Lord appear unto them, and a hard Judgment shall they have.

The Law of God commandeth, That the Child should be put to Death for any contumely done unto the Parents: But what if the Father be a Robber? If a Murderer? If for all excess of Villanies, odious and execrable both to God and Man? Surely he deserveth the highest degree of Punishment, and yet must not the Son lift up his Hand against him, for no Offence is so great as to be punished with Parricide; but our Country is dearer unto us then our Parents, and the Prince is *Pater Patriæ*, the Father of our Country, and therefore more sacred and dear to us then our Parents by Nature, and must not be violated, how Imperious, how Impious forever he be: Doth he Command or Demand, our Persons or our Purfes, we must not shun for the one, nor shrink for the other; for (as *Nebemias* saith) Kings have Dominion over the Bodies, and over the Cattle of their Subjects, at their Pleasure. Doth he enjoin those Actions which are contrary to the Laws of God? we must neither wholly obey, nor violently resist, but with a constant Courage submit our selves to all manner of Punishment, and shew our Subjection by Enduring and not Performing: Yea, the Church hath declared it to be an Heresie, to hold that a Prince may be Slain or Deposed by his Subjects for any Disorder or Default, either in Life, or else in Government, there will be Faults so long as there are Men; and as we endure with Patience a Barren year, if it happen, and unseasonable Weather, and such other Defects of Nature, so must we tolerate the Imperfections of Rulers, and quietly expect either Reformation, or else a Change.

But, alas, good King *Richard*! what such Cruelty? What such Impiety hath he ever committed? Examine rightly those Imputations which are laid against him, without any false Circumstance of Aggravation, and you shall find nothing objected either of any Truth, or of great Moment. It may be that many Errors and Oversight have escaped him, yet none so grievous to be termed Tyranny, as proceeding rather from Unexperienced Ignorance, or Corrupt Counsell, than from any Natural and Wilful Malice. Oh! how shall the World be pestered with Tyrants, if Subjects may rebel upon every pretence of Tyranny? How many good Princes shall daily be suppressed by those by whom they ought to be supported? If they Levy a Subsidy or any other Taxation, it shall be claimed Oppression: If they put any to Death for Traiterous Attempts against their Persons, it shall be exclaimed Cruelty: If they do any thing against the lust and liking of the People, it shall be proclaimed Tyranny.

But let it be, that without Authority in us, or Desert in him, King *Richard* must be Deposed, yet what Right had the Duke of *Lancaster* to the Crown? Or, what Reason have we with-

Psal. 28.

Sap. 6.

Quintil. in de-
clom. offic.
lib. 1.

Nebem. 9. 37.

Alpharf. a
Castro in lib.
de heresi, in
Verb Tyrannus.
Dom. Scit. lib. 5.
de just & jur.

without his Right to give it to him? If he make Title as Heir unto King *Richard*, then must he yet stay until King *Richard's* Death, for no Man can succeed as Heir to one that Liveth. But it is well known to all Men, who are not either wilfully Blind, or grossly Ignorant, that there are some now alive, lineally descended from *Lionel* Duke of *Clarence*, whose Offspring was by Judgment of the High Court of Parlement holden the Eighth year of the Reign of King *Richard*, declared next Successor to the Crown in case King *Richard* should die without Issue. Concerning the Title from *Edmund Crouchback*, I will pass it over, seeing the Authors thereof are become ashamed of so absurd Abuse, both of their own Knowledge and our Credulity, and therefore all the Claim is now made by Right of Conquest, by the Cession and Grant of King *Richard*, and by the general Consent of all the People. It is a bad Wooll that can take no colour; but what Conquest can a Subject pretend against his Sovereign, where the War is Insurrection, and the Victory High and Heinous Treason? As for the Resignation which King *Richard* made, being a pent Prisoner for the same Cause, it is an Act exacted by force; and therefore of no force or validity to bind him: and seeing that by the Laws of this Land, the King alone cannot alienate the ancient Jewels and Ornaments pertaining to the Crown, surely he cannot give away the Crown it self, and therewithall the Kingdom.

Neither have we any Custom that the People at Pleasure should Elect their King, but they are always bound unto him, who by right of Blood is right Successor; much less can they confirm and make good that Title, which is before by Violence usurped; for nothing can then be freely done, when Liberty is once restrained by fear. So did *Scilla* by Terror of his Legions, obtain the Law of *Velleia* to be made, whereby he was created Dictator for Fourscore years; and by like Impression of Fear, *Cæsar* caused the Law of *Servia* to be promulged, by which he was made Perpetual Dictator; but both these Laws were afterwards adjudged void. As for the Deposing King *Edward* the Second, it is no more to be urged, than the Poisoning of King *John*, or the Murdering of any good and Lawful Prince; We must live according to Laws, and not to Examples, and yet the Kingdom was not then taken from the Lawful Successor: But if we look back to Times lately past, we shall find that these Titles were more strong in King *Stephen*, then they are in the Duke of *Lancaster*; for King *Henry* the First being at large Liberty, neither restrained in Body, nor constrained in Mind, had appointed him to succeed; (as it was upon good Credit certainly affirmed) the People assented to this Designment, and thereupon without Fear and without Force, he was Anointed King, and obtained full Possession of the Realm: Yet *Henry* (Son of the Earl of *Anjou*) having a nearer Right by his Mother to the Crown, (notwithstanding his Father was a Stranger, and himself born beyond the Seas) raised such rough Wars upon King *Stephen*, that there was no end of spoiling the Goods and spilling the Blood of the unhappy People, besides the ruines and deformities of many Cities and Holds, until his Lawful Inheritance was to him assured. It terrifieth me to remember

member how many Flourishing Empires and Kingdoms have been, by means of such Contentions, either torn in pieces with Intestine Division, or subdued to Foreign Princes, under Pretence of Assistance and Aid; and I need not repeat how fore this Realm hath heretofore been shaken with these several Mischiefs; and yet neither the Examples of other Countries, nor the Miseries of our own, are sufficient to make us to beware.

O *Englishmen*! worse bewitched than the foolish *Galathians*! Our unstayed Minds and restless Resolutions do nothing else but hunt after our own Harms! No People more Hated Abroad, and none less Quiet at Home! In other Countries the Sword of Invasion hath been shaken against us; in our own Land the Fire of Insurrection hath been kindled amongst us: And what are these Innovations but Whetstones to sharpen the one, and Bellows to blow up the other?

Certainly I fear that the same will happen unto us, which *Æsop* fableth to have been fallen unto the Frogs, who being desirous to have a King, a Beam was given unto them: The first Fall whereof did put them in some fear; but when they saw it lie still in the Stream, they insulted thereon with great Contempt, and desired a King of quicker Courage; and then was sent unto them a Stork, which stalking among them with stately Steps continually devoured them. The Mildness of King *Richard* hath bred in us this Scorn, interpreting it to be Cowardise and Dulness of Nature. The Next Heir is likewise rejected. I will not say that with greater Courage we shall find greater Cruelty: But if either of these shall hereafter be able to set up their Side, and bring the Matter to Trial by Arms, I do assuredly say, That which part soever shall carry the Fortune of the Field, the People both ways must go to wreck. And thus have I declared my Mind concerning this Question, in more Words than your Wisdom, yet fewer than the Weight of the Cause doth require; And do boldly conclude, That we have neither Power nor Policy, either to Depose King *Richard*, or to Elect Duke *Henry* in his Place; That King *Richard* remaineth still our Sovereign Prince, and therefore it is not lawful for us to give Judgment upon him: That the Duke whom you call King, hath more offended against the King and the Realm, than the King hath done either against him or us; for being Banished the Realm for Ten Years by the King and his Council (amongst whom his Own Father was Chief) and sworn not to return again without special Licence, he hath not only violated his Oath, but with impious Arms disturbed the Quiet of the Land, and dispossessed the King from his Royal Estate, and now demandeth Judgment against his Person, without Offence proved, or Defence heard. If this Injury and this Perjury doth nothing move us, yet let both our Private and Common Dangers somewhat withdraw us from these violent Proceedings.

After they had thus disposed of *Richard* II. and done for *Henry* what he could desire, the *Commons* petitioned, That all such as came into the Kingdom with him, or came to him afterward, and acted with him and against King *Richard*, might not be impeached, grieved, or vexed, but pardoned.

[6] *Rel. Parl.*
1 H. IV. n.
139.
The Confe-
derates and
Followers of
Henry IV.
pardoned.

The King's Answer was [6] (*le Roy voet fair pardon en maners come fist fait l'an premiere le Roy Edward teirce*) The King willeth to give such a Pardon as was made or given in the first Year of Edward III. for which see *Statutes at Large*, 1 Edw. III. Cap. 1. and 1 Hen. IV. Cap. 2. where are both Pardons in the same Words, only what ought to be altered as to Names and Circumstances, was altered.

[7] *K. Richard*
sent to *Leeds-*
Castle, and
from thence
to *Pontfract*.

The Deposed King, after the Sentence of his remaining in secure and safe Custody, was immediately sent to the Castle of [7] *Leeds in Kent*, and from thence to *Pontfract-Castle in York-shire*. The King of France, whose Daughter he had Married, prepared a great Fleet, and raised an Army, to invade England, and destroy him and the Church of England, also the People of the Kingdom by Sea and Land, as 'tis said by King Henry in his Writ [8] to the *Arch-Bishop of Canterbury*, to cause all the Ecclesiasticks of his Province to Arm and Array what Men they could to oppose him. This Writ bears Date January 17. in the first of his Reign. After this, and before the 20th of the same Month, the King of France had notice of King Richard's Death. [9] Upon which Day he confirmed the Truce he had made with him in the Year 1396. for 28 Years.

[8] *Append.*
n. 116.
King of
France pre-
pares to re-
lieve K. Ri-
chard.

[9] *Append.*
n. 117.
His Death
changes his
Mind.

How K. Ri-
chard was
Murdered
not certain.

[1] *Hillor. f.*
363. n. 50.

How this unfortunate Prince died, was killed, or murdered, 'tis uncertain: Many say he had Meat set before him, but not being suffered to eat, he died of forced Famine.

Walsingham [1] says, he voluntarily starved himself, and died on St. Valentin's Day, or the 14th of February, in *Pontfract-Castle*; which agrees not with the Date of the King of France's Instrument, as above, unless it might be given out he was dead before he really was so.

[2] *Chronic.*
f. 517. col. 1.

Hollinshead [2] tell us, That one Writer (but names him not) that pretends to know more of King Richard's Death than others, reports, That one Day King Henry sitting at Dinner, fetched a great Sigh, and spake these Words: *Have I no faithful Friend that will deliver me of him, whose Life will be Destruction to me, and Disturbance to the Kingdom!* Upon which Speech, one Sir Pierce de Exton presently left the Court, and went with Eight Men all Armed to *Pontfract-Castle*, entered the Chamber where King Richard was Prisoner, and beat out his Brains.

[3] *F. 567.*

Mr. Camden in his *Britannia*, [3] speaking of *Pontfract-Castle*, says, *Hic Richardus Secundus Rex Anglie, quem Henricus Regno spoliavit, fame, frigore, & in auditis tormentis scelerate sublatu est.* Here Richard II. from whom Henry IV. took or robbed him of the Kingdom, with Hunger, Cold, and unheard-of Torments, was wickedly killed.

[4] *Vol. 2 c.*
249. f. 319. a.
col. 1.

[5] *N. 9.*

Froyst, who was then Writing his Chronicle, [4] says, he could not tell by what means King Richard died.

The Parliament [5] Roll, in the first of Edward IV. speaks thus That Henry IV. taking upon him Usurpously the Crown and Name of King of England, and Lord of Ireland, and not therewith Satisfied or Content, but more grievous Things attempting, Wickedly of Unnatural, Unmanly, and Cruel Tyranny, the same King Richard Anointed, Crowned, and Consecrated, and his Liege and most High Lord in the Earth, against God's Law, Man's

Alle-

Allegiance, and Oath of Fidelity, with utmost Punition attorning, murdered and destroyed with most vile, heinous, and lamentable Death.

Church-Affairs.

AS in the last Reign, so in this, the Pope practised his Encroachments upon the Church and State. In the First Parliament of this King, the [1] Commons Petition, That whereas in the Treaty between King Edward and the Pope, he granted to abstain from all manner of Provisions, by way of Reservation of Benefices, especially of such Dignities as were Elective; yet the Court of Rome had no regard to the King's Messengers sent thither about this matter; and the Pope continued his Practice, contrary to the Treaty, Grant, and Accord with King Edward, to the great Prejudice of the King and his Subjects, whereof they pray Remedy.

What Remedy they had, I find not; but next Year against certain Rebel [2] Cardinals, there was an Act passed, That Urban was duly Chosen Pope, and that he was True Pope, and as so, and Head of Holy Church, ought to be Accepted and Obeyed: And to this all the Prelates, Lords, and Commons Agreed.

The next Year the People [3] Complained and Petitioned, shewing, That Cathedral and Collegiate Churches, Abbeys, and Priors, and other Benefices of the Kingdom, were filled with Men of another Language, and of strange Lands and Nations, and sometimes Enemies of the King and Kingdom, which never made Residence in the same, or perform'd the Charge thereof: Whereupon the King, by Advice and Common Assent of all the Lords Temporal, Ordained, That none of his Liege People, of what Condition soever they were, should take or receive any Procuracy, Letter of Attorney, Farm, or other Administration by Indenture, or in any other manner of any Benefice within England, but only of the King's Subjects, without his special Licence by Advice of his Council; nor send out of the Kingdom any Gold, Silver, or other Treasure or Commodity, by Bill of Exchange, Merchandise, or any other manner; And those that did the contrary, to incur the Pain and Punishment contained in the Statute of Provisors.

This Prohibition, upon Complaint and Petition of the Commons, by Assent of the King and Lords Temporal, proved ineffectual for the End intended, and therefore it was reinforced: And it was agreed by the King in his 7th Year, the Lords Temporal and Commons, that the same [4] Statutes shall keep his Force and Effects in all Points; and that all Aliens that have purchased or shall purchase any Benefice, Dignity, or Thing of Holy Church, and in his

K k k 2

Proper

[1] *Rel. Parl.*
1 Ric. II. n. 77.

[2] *Ib. 2 Ric.*
II. n. 78.

[3] *Stat. at*
Large, 3 Ric.
II. c. 3.

[4] *Ib. 7 Ric.*
II. c. 12 &
Rel. Parl. 7
Ric. II. 49.

Proper Person take Possession of the same, or use it himself within the Kingdom to his own Benefit, or of any other without special Licence of the King, shall be comprised in the same Statute.

[5] Ibm. 12
Ric. II. c. 15.

But this Reinforcement had not its due Effect; [5] and therefore it was *Ordained and Assented*, That no *Liege-man* of the *King*, of what Estate or Condition that he be, great or little, should pass over the Sea, or send out of the Realm of *England*, without special Leave of the *King* himself, to provide or purchase for himself *Benefice* of *Holy Church*, with Cure or without Cure: And if any do, and by virtue of such *Provision*, accept by him or any other, any *Benefice* of the same *Kingdom*, that at that time the same *Provisor* shall be out of the *King's Protection*, and the same *Benefice* void; so that it should be lawful to the *Patron*, as well *Spiritual* as *Temporal*, to present to the same an able *Cleric* at his Pleasure.

[6] Ibm. 2d
Statute made
13 Ric. II. c. 2.
& Rat. Parl.
n. 32.

Nor could this hinder *Provisions, Gifts, and Sale of Benefices* of all sorts by the *Pope*; for in the [6] next Year, the *Commons* require the *King* the *Statute of Provisors*, made in the 25th of *Edward I.* might be recited in *Parlement*; and then it was *Ordained and Established*, That if any make *Acceptation* of any *Benefice* of *Holy Church*, contrary to that *Statute*, and duly proved, and be beyond Sea, he should abide *Exiled and Banished* out of the *Realm* for ever, and his *Lands and Tenements, Goods and Chattels* forfeit to the *King*: And if he be within the *Kingdom*, he should be also *Exiled and Banished*, and incur the same *Forfeiture*, and avoid the *Realm* within six Weeks next after such *Acceptation*. And if any one receive such *Person* after that six Weeks, he shall be *Banished*, and incur the same *Forfeiture*.

[7] Ibm. c. 3. &
Rot. Parl. n. 44.

And it was then also [7] *Ordained and Established*, That if any Man brought or sent within the *Kingdom* or the *King's Power*, any *Summons, Sentence, or Excommunication* against any *Person*, of what Condition that he be, for the cause of making *Motion, Assent, or Execution* of the *Statute of Provisors* (as above) he should be *Taken, Arrested, and put in Prison*, and forfeit all his *Lands and Tenements, Goods and Chattels* for ever; and moreover incur the Pain of *Life and Member*. And if any *Prelate* make *Execution* of such *Summons, Sentences, or Excommunications*, That his *Temporalities* be taken and abide in the *King's hands*, till due *Redress and Correction* be thereof made: And if any *Person* of less Estate than a *Prelate*, of what Condition that he be, make such *Execution*, he should be *Taken, Arrested, and put in Prison*, and make *Fine and Ransom* by Discretion of the *King's Council*.

[8] Ibm. 16.
Ric. II. c. 5.
& Rat. Parl.
n. 20.

Notwithstanding this *Cave*, and these *Laws* made against the *Pope's Practices* in this *Kingdom*, [8] the *Commons* in the *Parlement*, in the 16th of this *King*, shewed unto him, grievously *Complaining*, That so far as much as he and all his *Liege People* ought of Right, and of old time were wont to sue in the *King's Court* to recover their *Presentments to Churches, Prebends, and other Benefices of Holy Church*, to which they have Right to Present, the *Consiance* of *Plea* of which *Presentment* belongeth only to the *King's Court*, of the old Right of his *Crown* used in the time of his *Progenitors Kings* of *England*; and when *Judgment* was given in

in the same *Court* upon such a *Plea* and *Presentment*, the *Arch-Bishops, Bishops, and other Spiritual Persons* which had *Institution* of such *Benefices* within their *Jurisdictions*, were bound and had made *Execution* of such *Judgments* by the *King's Commands* all the time aforesaid without interruption; for no *Lay Person* could make such *Execution*; and also were bound of Right to make *Execution* of many other of the *King's Commands*, of which Right the *Crown* of *England* hath been peaceably seized until this Day. But now of late divers *Processess* have been made by the *Bishops of Rome, and Censures of Excommunication* upon certain *Bishops* of *England*, because they had made *Execution* of such *Commands*, to the open *Disberison of the Crown, and Destruction* of the *King, his Laws, and all his Kingdom*, if *Remedy* be not provided. [9] They further *Complain* of the *Pope's Translation* of *Bishops* from *Bishoprick to Bishoprick*, and sending some out of the *Kingdom* who were fit to be of the *King's Council*, and able to give him *Advice* without his *Assent* and against his *Will*. [1] So that the *Crown* of *England* which hath been so free at all times, That it hath been in *Subjection* to no * *Barbly Sovereign, but immediately Subject* to God and to none other, in all things touching the *Regaly, or Royalty* of the *Crown*, should be submitted to the *Bishop of Rome, and the Laws and Statutes* of this *Realm* by him defeated and destroyed at his *Will, in perpetual Destruction* of the *King, his Crown, and Regaly, and all his Realm, which God forbid*. Wherefore they [2] declare, That they and all the *Liege Commons* of the *Kingdom*, would be with the *King* his *Crown and Regaly* in the *Cases* aforesaid, and in all other *Cases* attempted against him, his *Crown and Regaly* in all Points to live and die. [3] And further they pray the *King*, and him require by way of *Justice*, That he would ask all the *Lords* in *Parlement*, as well *Spiritual* as *Temporal* severally, and all the *States* of *Parlement*, What they thought of the *Cases* aforesaid? Whereupon the *Lords Temporal* so asked, answered every one by himself, That the *Cases* aforesaid were clearly in *Derogation* of the *King's Crown*, and of his *Regaly*, as it was well known, and had been a long time known, and that they would be with the *Crown and Regaly* in these *Cases* especially, and in all others which shall be attempted against them in all Points, with all their *Power*. The Answer of the *Lords Spiritual* to the *King's Demands*, much to the purpose of that of the *Lords Temporal*, will best appear from the *Arch-Bishop's Protestation* (so called) upon the *Parlement-Roll*, as 'tis transcribed in the *Appendix, n. 118.* and there translated.

After which Answers given, [4] the *King*, by Assent of the *Lords Spiritual and Temporal*, at the Prayer of the *Commons, Ordained and Established*, That if any *Purchase or Pursue*, or cause to be *Purchased or Pursued* in the *Court* of *Rome* or elsewhere, any such *Translations, Processess, and Sentences of Excommunications, Bulls, Instruments, or any other things* which touch the *King*, against him, his *Crown, Regaly, or Kingdom*, as is aforesaid; and they that bring them within the *Realm*, or receive them, or make thereof *Notification*, or any other *Execution* within the *Kingdom*, or without they, their *Notaries, Procurators, Maintainers, Abettors, Factors, and Counsellors*, shall be put out of the *King's Protection*, their *Lands and Tenements, Goods and Chattels* forfeited, and also attached by their *Bodies*, if to be found, and brought before

[9] Ibm.

[1] Ibm.

* So the Words in the *Parlement-Roll*, 16 Ric. II. n. 20.

[2] Ibm.

[3] Ibm.

[4] Ibm.

before the King and his Council, there to answer; or that Process be made against them by *Premunire facias*, in manner as it is Ordained in other Statutes of Provisors. After this, there is nothing further that I have seen about these Controversies, the Pope being quiet all his Reign; yet I shall take notice of some things done by the King relating to these Affairs, which were omitted in their due Place.

[5] Rot. Claus.
12 Ric. II. M.
39. Dnf.

He caused James Dardain [5] the Pope's Collector in England, to Swear he would be Faithful to him and his Crown; That he would not do, permit, or procure to be done any thing Prejudicial to him, his Kingdom, Laws, and Rights; And that he would not put in Execution any Papal Letters or Mandates, or permit them to be put in Execution, that were Prejudicial to the King, his Regaly or Royalty, Laws or Rights, or to his Kingdom; That he would not receive or publish any of the Pope's Letters, but such as he should deliver to the King's Council as soon as he could; That he would not send any Money or Plate out of the Kingdom, unless he had special Licence from the King or his Council; nor that he would introduce any Novelty by or without Command, without the King's Licence; And that he would keep the King's Laws and Rights without violation. This Oath was taken August 27. in the 12th of Richard II. before his Council, as appears by the Record it self.

[6] Ib. 13 Ric.
II. part 1. M.
17. De decimis
Pape non sol.
veniat.

Then he wrote to [6] William Arch-Bishop of Canterbury, That he could not but know that he was bound by Oath, for the Conservation of the Rights and Customs of the Kingdom, and for the Indemnity and Right Government of his People; and also that no Impositions upon the People could be made or levied any ways whatsoever, without Common Counsel or Consent of the Kingdom. And further, That he had been Petitioned by the Commons lately assembled in Parlement at Westminster, to provide Remedy against the Impositions upon the Clergy, at that time published and exacted by the People: And also that any one that should bring in any Pope's Bulls to levy such Impositions or create such Novelty not formerly used, which might bring Damage to him or his Kingdom, nor should publish such Impositions and Novelty, or collect or levy them, should be adjudged and suffer as a Traitor to him and his Kingdom. And it was granted by him, with Assent of the same Parlement, nothing should be levied or paid that might tend to the Burthen and Damage of the Kingdom or Liege People. This notwithstanding, he was informed of a new Imposition upon the Clergy by the Pope, which by his Authority, or the Authority of his Suffragans by his Command, was to be levied without Common Advice and Assent of the Kingdom, which he might not suffer to be done, saving his said Oath: And then Commanded, by the Faith in which he was bound to him, and under forfeiture of all he could forfeit, to revoke all that had been done for the levying and exacting of this Imposition, and to return what had been paid and levied, enjoining him not to pay or contribute any thing to this Subsidy or Imposition, under the foresaid Faith and Forfeiture. Witness the King at Westminster, the 10th Day of October.

The

The like Writ and of the same Date [7] was directed to the Arch-Bishop of York, and all the other Bishops of England, as also to the Guardians of the Spiritualities of the vacant Bishoprics; and several Collectors of this Imposition.

[7] Ib.

The like Writ was likewise directed to James Dardain, then the Pope's Nuncio, Rex [8] Jacobo Dardain Nuncio Domini Summi Pontificis in Anglia, &c. to desist in exacting of this Imposition, sub forisfactura Vitæ & Memborum, under the Forfeiture of Life and Members, and all things he could forfeit. Witness as before.

[8] Ib.

This Imposition was the Payment of a Tenth by the Clergy to the Pope, by him laid upon them, as appears by the Todding or Title of the Record, *De Decimis Pape non solvendis*, Concerning Tenths not to be paid to the Pope.

In the 14th of his Reign, [9] he caused Proclamation to be made through England, to call from Rome, under forfeiture of Life and Member and all they could forfeit, many Persons that went thither to procure the Nulling and Vacating of divers Statutes made by him, and his Progenitors, with Consent of Parlement, for the Common Profit of the Kingdom; and to perpetrate many other Evils there, to the Contempt and Prejudice of his Person, to the great Damage of the Kingdom and People, and to the manifest Cassation of the Laws and Customs thereof; That they should be in England by the Feast of St. Martin in Winter (or 11th of November) at furthest: And that no Man, of what State or Condition soever he was, should bring any Pope's Bulls, Processes, or Instruments for the Adnulling or Vacating of any the Statutes, Laws, or Customs aforesaid, or obey them, or put them in Execution under the Forfeiture aforesaid. Witness the King at Westminster the 3d Day of May. By the King Himself and Council.

[9] Ib. 14 Ric. II. M. 13. Dnf. De Proclamatione.

This Proclamation [1] was directed to the Sheriff of Kent, and all other Sheriffs of England; to his Uncle John Duke of Lancaster, or his Chancellor in that Dukedom; and to John Stanley his Justiciary in Ireland, or his Lieutenant; and also his Justiciary of Chester, or his Lieutenant.

[1] Ib.

The Statutes the Persons recalled by this Proclamation, went to Rome to have made void by the Pope, were the Statute of Provisors last made; the Statute of *Quare impedit*, and *Premunire facias*, and others like to them, which the Pope said were against and injurious to Ecclesiastical Liberty. For the particular Account whereof, see Walsingham's History, Fol. 344. n. 40, 55. and Fol. 345. n. 10. A. D. 1391. 14 Ric. II.

In the 20th Year [2] of his Reign, on the 19th of September, he caused Lewis Bishop of Ostuna in Apulia, the Pope's Collector, to take the same Oath before himself in Chancery which James Dardain had taken in the 12th of his Reign before his Council.

[2] Ib. 20 Ric. II. M. 3. Dnf.

John

John Wyclif and his Followers.

[3] Specim.
Council. Vol.
2. f. 267.

[4] Ibm. f.
629, 630, 631.

THE Opinions of John Wyclif prevailed very much in the University of Oxford, and not a few Learned Men maintained them in the Schools, and Preached them up there, and in many other Places and Countries. In the 4th of this King, 1381. William de Berton, [3] Chancellor of the University, calling together many Doctors of Divinity, and many Professors of, and Skilful in the Canon-Law, they judged upon Examination of those Opinions, That they were Erroneous, Repugnant to the Determinations of the Church, and Contradictory to Catholick Verity; and therefore forbade every one, of what Degree or Condition soever, under the pain of the greater Excommunication, publickly to Hold, Teach, or Defend the same in the University.

Upon the further spreading of these Opinions, amongst the Great Men and Populacy, [4] William Courteney Arch-Bishop of Canterbury, and Seven other Bishops of this Province, Fourteen Doctors of Canon and Civil Law, Seventeen Masters of Divinity, and Six Bachelours of Divinity, on the 17th of May, 1382. met in a Chamber of the Frier-Preachers in London, where having considered and deliberated upon the Conclusions and Opinions then divulged, unanimously, on the 27th of the same Month, Declared and Decreed some of them Heretical, others Erroneous, and contrary to the Determinations of the Church.

The Heretical Opinions were these :

That the material Substance of Bread and Wine, remained after Consecration in the Sacrament of the Altar.

Also, That the Accidents do not remain with a Subject after Consecration in the same Sacrament.

Also, That Christ is not in the Sacrament of the Altar, Identically, Truly, and Really in his proper Corporeal Presence.

Also, That if a Bishop or Priest be guilty of mortal Sin, he can neither Ordain, Consecrate, or Baptize.

Also, That if a Man were duly Contrite, all external Confession was superfluous and unprofitable.

Also, Pertinaciously to assert that Christ Ordained Mass, had no Gospel-Foundation.

Also, That God ought to Obey the Devil.

Also, If the Pope be an ill Man, and by consequence a Member of the Devil, he hath no Power over the Faithful of Christ given him by any one, unless perhaps by Caesar.

Also, That after Urban VI. no Man is to be received as Pope, but we ought to live as the Gracians under our own Laws.

Also, To assert, That 'tis against Holy Scripture, that Ecclesiastics should have Temporal Possessions.

The

The Pernicious Erroneous Conclusions were these :

That no Prelate ought to Excommunicate any one, unless he first knew he was Excommunicated by God.

Also, That any one who did so Excommunicate, became thereby an Heretic, and Excommunicate himself.

Also, A Prelate Excommunicating a Cleric, who Appealed to the King and his Council, is in very Deed a Traitor to God, the King, and Kingdom.

Also, They that leave off Preaching or Hearing the Word of God, or Gospel Preached, for the Excommunication of Men, are Excommunicated, and shall be had for Traitors to God in the Day of Judgment.

Also, To assert that 'tis lawful for any one, tho' a Deacon or Priest, to Preach the Word of God, without Papal or Episcopal Authority, or other which sufficiently appeareth.

Also, To assert that none is a Civil Lord, none is a Bishop, none is a Prelate, while he is guilty of Mortal Sin.

Also, That Temporal Lords may at their Pleasure take away Temporal Goods from Ecclesiastics, being habitual Delinquents, or that the Populacy, when they will, may correct Delinquent Lords.

Also, That Tythes are pure Alms, and that the Parishioners for the Sins of their Curates may detain them, and as they please give them to others.

Also, That particular Prayers applied to one Person, by Prelates or Religious, are no more Benefit to that Person, than general Prayers are to him, ceteris paribus, all other things being equal.

Also, In that very thing, that any one takes upon him whatsoever private Religion, he is made more anfit and unable to observe God's Commandments.

Also, Saints instituting whatever private Religions, as well those with Possessions, as Mendicants, they have sinned in so instituting.

Also, That Religious, living in Private Religions, are not Christians.

Also, That Friars are bound to get their Food by the Labour of their Hands, and not by Begging.

Also, He that gives Alms to Friars, or to a Frier-Preacher, is Excommunicate, and he that receives it.

On the 20th Day of June, [5] in the same Year and Place, Nicholas Hereford, Philip Rappington a Canon Regular, both Professors of Divinity, and John Aphton Master in Arts, and Scholar in Divinity, the Chief Followers of Wyclif, appeared Personally before the Archbishop, the Doctors, and others. When Nicholas and Philip were commanded to answer, and to speak fully and plainly what they thought of the Conclusions above, they gave in their Answers in Writing, protesting as otherwise they had done, That they intended to be Humble and Faithful Sons of the Church, and of Holy Scripture, and obey in all things the Determinations of the Church; and if they should commit any Error against this Intention in Word or Deed, they submitted themselves to the Correction of the Archbishop, and all others.

I. 11

others,

[5] Ibm. f.
631, 632.

others to whom it belonged to Correct them. This Protestation premised, they Answer, That the Substance of material Bread and Wine remains in the Sacrament of the Altar after Consecration; *Ad sensum contrarium isti Decretali, Firmiter Credimus, Concedimus, quod est Hæresis.* To the contrary Sense of the Decree, we firmly believe (that is a Decree that began with those Words, *Firmiter Credimus*) We grant *it* Hæresis.

To the Second Conclusion, That the Accidents do not remain without a Subject after Consecration in the same Sacrament; *Ad sensum contrarium isti Decretali, Cum Maribe a Decree in the Decretals that began with those Words) Concedimus quod est Hæresis.* To the contrary Sense of that Decretal, *Cum Maribe, We grant it* Hæresis.

To the Third Conclusion, *Quod Christus non sit in eodem Sacramento, identice, verè, & realiter in propria presentia corporali;* That Christ was not in the same Sacrament Identically, Truly, and Really, in his proper corporal Presence: They answer, (*Licet ista conclusio sit ad verba incompotita & intelligibilia, tamen ad sensum contrarium illi Decretali in Clementinis, Si Dominum* (a Decretal that began with those two Words) *Concedimus quod est Hæresis.* Although that Conclusion consists of uncouth and unintelligible Words, yet to the contrary Sense of that Decretal in the *Clementines* (*Si Dominum*) We grant *it* Hæresis. And briefly, as to the whole Matter of the Sacrament of the Altar, and every other, we profess we will, as well in Words as Sense, Agree with the Holy Scripture, the Determinations of the Church, and Opinions of the Holy Doctors.

The Fourth and Fifth Conclusions they plainly granted to be Hæresies.

To the Sixth, That God ought to Obey the Devil, they answer, *Ad hunc sensum, quod Deus in propria Persona vel Essentia debet obedire Diabolo obedientia necessitatis, concedimus est Hæresis;* According to this Sense, that God in his proper Person or Essence ought to Obey the Devil with an Obedience of Necessity, *We grant it* Hæresis. And thus *Evasively* and *Sophistically* they Answered to most of the Conclusions or Opinions, both *Heretical*, as they are termed, and *Erroneous*.

Their Answers pleased not the Archbishop and his Assessors; they desired them more expressly. They said they then knew not how better to Answer to the Three First, because they answered in Writing, and would Answer no otherwise.

To the Sense and Text of the Sixth Conclusion, because they had not answered fully and expressly, they were asked, Whether God ought any Mode or Manner of Obedience to the Devil; *Interrogati an Deus debeat aliquem modum Obedientia Diaboli, respondetur quod sic.* They answered, Yea; to wit, the Obedience of Charity; *scilicet Obedientiam Charitatis;* because he loved him, and punished him as he ought; *Quia diligit eum & punit eum ut debet.* And to prove that God ought thus to Obey the Devil, they offered themselves against any Man, under pain of being burnt; *Obtulerunt se sub pena incendi ad quemcunque.*

After

After these first and second Answers, the Archbishop asked all the Doctors, what they thought of them, who said one by one, That the answers to the first, second, third, and sixth Conclusions, were insufficient, heretical, and deceitful, and to the others erroneous and perverse.

Whereupon the Archbishop again admonished them to answer fully, plainly, and expressly, without subtle, sophistical, or logick words, and gave them eight days time to do it, but they refused to do it; and there is nothing more of them in this place. Ashton answered more impertinently, and nothing to the purpose, as if he understood not what was demanded of, or said to him.

The first we hear of them further is from the King's [6] Writ, dated July 13. in the Sixth of his Reign, which was July next following, in which and in several others about this Matter, the King takes upon him the Title of Defender of the Faith, before the Pope's pretended gift of that Title to Henry the Eighth. This Writ was directed to the Chancellor and Proctors of the University of Oxford, to inquire after all such of whatever Profession, or Degree, or others within the Limits and Jurisdiction of the University, that favoured or believed any Hæreses or Errors, and especially such as had been condemned by William Archbishop of Canterbury, and his Assessors, or that believed, held, or defended any of those Hæreses, Errors, or the like, or that received John Wyclif, Nicholas Hereford, Philip Reppon, or John Ashton, or any one noted of the same Hæreses or Errors, into their Houses, or conversed with them, or defended, and shew them favour. And if they found any such, to banish and expell them the University and Town of Oxford, within seven days after they knew any of them, until before the Archbishop of Canterbury for the time being, by manifest Purgation, or denial of their Opinions, they shew their Innocency; and they were further to search the Colleges and Halls for Books Composed by John Wyclif, and Nicholas Hereford, and to do all this upon the Faith and Ligeance they were bound to the King, and under forfeiture of the Liberties and Privileges of the University, and what else they might or could forfeit; With Command to the Sheriff of the County, and Major of Oxford, and all other Sheriffs, Majors, Bayliffs, Officers, and other his Subjects, to obey and assist them in the Execution of the Premises.

Mr. Wood in his History and Antiquities of Oxford, [7] tells us, That John Ashton made his Recantation and Confession before the Archbishop of Canterbury on the 19th of July following in Latin and English, whereupon, by his Letters, he was restored to his University Exercises and Reading in the Schools, which he performed without the least touch of Hæresis.

Henry de Knighton Reports [8] the Recantations and Confessions of Nicholas Hereford, and others, and of John Ashton, in the English of those times.

' In the Name of God, Amen. Wytes alle cristen men that we Nichol of Herford, and my fellow Priustus, unworthy in presence of our goistely fader the Erchebithop of Canturbery the nyngtende day July, zeos of grace a thouland thre undred

[6] Append. n. 119.

[7] Lib. 1. fol. 192. col. 2.

[8] Col. 265; 256.

fourcore and two, in the house of the Freres prechoures at London, when we weren required to sayne what we felyde of diverse conclusions we maden this Protestation and zit we maken, That our entent was and is to be trewe sones and meke of holy Chirche and zif happy as God schilde that we erren agaynes this entent in wordus or in workus, we submytte us mekelyche to the correction of oure forsayde fadur the Erchebischop of *Canterbury*, and of alle other to whom it longyth to redresse them that erren and asturwarde to wam were requirede to say oure beleve of the Sacrament of the autere as to zoure underfondyng onth the peple we knowleche fyrst that the Prist takus in his hondes thorowe the vertue of the Sacramental wordus is made and turnyde veralyche into Christus body, tho fame that was taken and ben of the mayden *Marye*, and that sufferide deth on the croffe for man kynde, and that laye in the sepulcre, and that ros fro deth to lyve the thridde day, and stey up into hevene and syttes in joye in the blisse of the fadur, and that schal come at the day of dome, to dome the quikke and the dede, and the wyne is also turnyde veralyche into his blode, so that leves astur the consecration of brede and wyne none other substance than that ilk that is Christus flest and blode. And furthermore we beleve that the hole body of Christ is hole in the Sacrament, and hole in everyche partye of the Sacrament of the autere. And also we beleve that Christ is veralyche in the same Sacrament in his bodely presence to savacion to alle hem that worthelyche receyven that same Sacrament, to hem that unworthelyche receyven to her dampnation, and this oure beleve, and in this we bene thorou grace of God, we will dye in remission of our synnes. And therefore we pry alle cristen men to whom this confession schal come to that ze bere us witnes of this beleve at the day of dome before the heyzeft judge Jhesu Christ, and pray for us for charite.

In the Name of God, Amen. Y *John Aston*, Prist, unworthely required of my Lord the Erchebischop of *Canterbury* the nyntene day of *June* in the zer of grace, &c. ut supra, in the hous, &c. to say what I felyde in the matyr of the Sacrament of the autere. Y have knowlechyde & zit I do that the selfe bred that the Prist holdes in his hondes is made thorou the vertue of the Sacramental wordus verely the selfe cristus body that was borne of the maden *Marye*, and takun and suffrede deth on the Croffe, and thre days lay in the sepulcre, and the thridde day ros from deth to the lyve, and steyed up into Heven, and syttes on the ryght hond of God, and in the day of dome schal come to dome the quikke and the ded, and over this I beleve generally alle that holy writte determynet in worde and in underfonding, or what ever holy Kirke of God determynes of all this, when I was required specially to say what I felde of this proposition: Material brede leves in the Sacrament astur the Consecration. I make this protestation, that I never thouzt ne tauzt ne prechide that proposition. For I wote wele that the mater and speculation thereof passis in heyzte myn underfondyng, and therefore als mykele tellys openly for to leve

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in this matyr I beleve and of this matyr or of any other touching the ryght beleve of holy Kirke, that is nouzt expresse in holy writte, I beleve as our modur holy Kirke beleves, and in this belyve I will dye, and of this thing I beleve all men and alle wymmen to whom this confession come to, to bere me witnesse before the highest juge at the day of dome.

As *Wyclifists Followers* increased very much, their Opinions multiplied, and they Published and Preached different Opinions one from another. [9] The same Author notes above Sixty he heard preached at *Levestre*, different from, or over and above what were first published by *Doctor Wyclif*.

And further this Author Reports, [1] That the number of the *Lollards* mightily increasing, they also taught many new and very strange Opinions, Twenty five he notes, whereof several not taught before, amongst which, with some others, the Sixteenth is that of the *Quakers* about Swearing. *Quod non licet aliquo modo jurare*; it is not lawful to swear in any manner, and when they witnessed any thing, these were their Words, *I am sykr it is soth*, I am sure it is Truth; Or thus, *Without doubt it is so*.

All I find further of the *Wyclifists* or *Lollards* in this Reign, are chiefly several Writs or Commissions upon the Arch-Bishop's Petition granted to him, and his Suffragans and others, to imprison the Preachers and Dispersers of Errors and Heresies, Pat. 9. Ric. II. M. 12. Also a Commission to certain Persons to search for, and seize Books containing Heresie, &c. and bring them before the Council, and make Proclamation, That none should buy or sell them under Pain of Imprisonment, and to arrest and imprison all such as complied not with the Proclamation, Pat. 11. Ric. II. M. 20. There were many in the City of London about this time, that frequented Conventicles in Private Places, where the Opinions and Conclusions of *Wyclif* and his Followers were Debated and Taught. The King sends his Writ to the Major and Sheriffs of London, to make Proclamation from time to time within the City and Liberties, That no one of whatever State, Degree, Sex, or Condition they might be, should presume to make any such Conventicles or Meetings under pain of forfeiting, whatever they could forfeit, and imprisonment of their Bodies, during the King's Pleasure. *Clauſ. 14. Ric. II. M. 18. Dors. in all these Writs and Commissions, King Richard took upon himself the Title of Defender of the Faith, in these Words, as an Introduction to what he would do against Errors and Heresies, (Nos zelo fidei Catholice, cujus sumus & esse volumus Defensores) We for the Zeal of the Catholick Faith, of which we are, and will be Defenders. I shall mention one Record more of a Memorandum of an unusual Oath taken by some of this sort of Men, when they relinquished what they had defended and taught, and returned to the Practices, Opinions, and Usages of the then Church.*

Be it remembered, [2] that on the First day of September, in year of the Reign of King Richard the Second after the Conquest the 19th, *William Dynett*, *Nicholas Caplour*, *Nicholas Poucher*, and *William Steynour* of *Northingam*, personally appearing in Chancery, every one by himself took an Oath in the Form following:

[9] Col. 2657.
n. 60. 2658,
2659, 2660,
2661.

[1] Col. 2706.
n. 60. 2707,
2708.

[2] Clause
19 Ric. II.
M. 18.

I William Dpnett befor yhowe Worshopfull Fader and Lord archbithp of York, and yhour Clergie, with my free will and full avysede swere to God and to all his Seyntes upon this holy Gospelle, that fro this day forthward I shall worship ymages with preying and offeryng unto hem in the worshop of Seintes that they be made after. And also I shall never more despyse pygremage ne states of Holy Chyrche in no degree. And also I shall be buxum to the Lawes of Holy Chyrche, and to yhowe as myn Arch-Bishop, and to myn other Ordinaries and Curates, and keep tho Lawes upon my power and meyn-teyn hem. And also I shall never more meyn-teyn ne techen ne defenden errors, conclusions, ne techynges of the Lollards ne swych conclusions and techynges that men clepeth Lollards Doctryne. Ne I shall her books ne swych books, ne hem or ony suspect or diffamede of Lollardery rescyve ne company withall wittingly or defend in tho Matters: And if I know ony swych, I shall withall the hast that I may do yhowe, or els your ne officers to wyttyn and of her bokes. And also I shall excyte and stirr all tho to good Doctryne, that I have hindered with myn Doctryne upp my power. And also I shall stonde to your declaration wch es heresie or errour and do thereafter. And also what penance yhe woll for that I have done for meyn-teyn-ing of this false Doctryne, - - - I shall fulfill it, and I submit me thereto up my power. And also I shall make no other Glofe of this myn oth, but as the words stonde. And if it be so that I come agayn, or do agayn this oth, or any party thereof, I yhelde me here cowpable as an Heretyk, and to forfeit all my goods to the Kings will without any other proceß of Law, and thereto I require the Notary to make of all this, which is my will, an instrument agayns me.

Et ex habundanti idem Willielmus Dpnett eodem die voluit & recognovit quod omnia bona & catalla sua mobilia nobis sunt forsalsita in casu quo ipse juramentum predictum, seu aliqua in eodem juramento contenta de cetero contraveniant alio modo.

And moreover the same William Dpnett, the same day, granted and acknowledged, that all his Goods and Chattels were forfeit to us, in case he any ways contraven'd the said Oath, or did any thing against what was contemned in it.

Taxes

Taxes in this KING's Reign.

THE Lords and Commons perceiving the great danger of Destruction the Nation was in, by reason of the great Wars, as well by Sea as Land, for the defence of the Kingdom, and resistance of its great Enemies, they granted to the King Two Fifteenth without Cities and Burghs, and Two Tenths within Cities and Burghs, for Two years: Praying the King, that as well the Money of the Tenths and Fifteenths, as the Tenths granted by the Clergy, and Money for the Subsidy of Wooll, might be in the keeping of Especial Treasurers, by the King's appointment, which were William Walworth, and John Philypott, Merchants of London, who were to give an Account of their Receipts and Disbursements in manner as the King and his great Council should order.

In this Parliament the Commons, for the arduity of their Charge and feebleness of their Powers and Knowledge, prayed the King to have John King of Castile, and Leon Duke of Lancaster, and Four Bishops, Four Earls, and Four Barons, there named by them, for their Aids, and to confer with them about the hasty and good exploit, or dispatch of the things wherewith they were charged.

In the Second of Richard the Second in Quindena pasche, part 2. n. 13. upon Condition the Marc a Sack added upon Wooll, and Sixpence the Pound upon Merchandise given in the last Parliament at Gloucester, might be remitted, the Lords and Commons granted the Subsidy of Wooll, as it was before that Parliament, for One year, from Michaelmas next coming, and likewise a Sum upon divers Persons of the Kingdom, for which see the Appendix, n. 102.

The Prelates, Lords, and Commons, perceiving the great Perils with which the Land was environ'd, and the great and outrageous Expenses the King was to be at for the salvation and defence thereof, granted to him the Subsidy of Wooll, Leather, and Woollfells for Three years, of Wooll 43 s. 4 d. the Sack, of Woollfells as much for every Two hundred and forty, (accounting Sixscore to the Hundred) and for Leather 4 l. 6 s. 6 d. every Last which were exported by Denizens and Strangers; and as an additional Grant they gave more 13 s. 4 d. for every Sack of Wooll, as much for every Two hundred and forty Woollfells, and for every Last of Leather 26 s. 8 d.

Also they gave Sixpence in the Pound for every Pound value of Merchandise, as well of Denizens as Strangers, imported or exported, for One year.

The Lords and Commons upon the same Reasons and Suggestions, as in the last Parliament, granted the King One Fifteenth and half without Cities and Burghs, and One Tenth and half within.

And seeing the King could not Maintain the Charge of the War without them, they granted the Subsidy of Wooll, Woollfells, and Leather for One year, after the Term the last granted should expire.

Rot. Parl.
Ric II. n. 37.

Ib. n. 11, 12.

Rot. Parl.
Ric II. n. 13.
in quindena
Pasche.

Rot. Parl.
Ric II. Die
Mercurii prox.
post Trinum
Sancti Lucae,
p. 2. n. 29.

Ibm. n. 34.

Rot. Parl.
Ric II.
n. 16. Die
lune prox. post
Sancti Jacobi
Hilari.
Ibm. n. 17.

The

Rot. Parl.
4 Ric. II. Dic.
Lore prox. post
Festum anniv.
Sancti Iohannis.

Rot. Parl.
5 Ric. II. n.
48. and 67.

Rot. Parl.
6 Ric. II.
n. 15.

Ib. 7 Ric. II.
n. 13.

Ib. 7 Ric. II.
n. 10.

Ibm. n. 10.

Ibm. n. 10.

Ibm. n. 11.

Ibm. n. 18.

Ibm. n. 11.

Ibm. n. 12.

Form. n. 16.

The Lords and Commons gave Three Groats of every Lay Person of the Nation, Males, and Females, except very Beggars, and so as the richer or more sufficient in every Town, should help the poorer, so as no one paid above Forty Groats.

In the Fifth year the Parlement began on the Morrow of All-Soils, or 3d of November, in which the Lords and Commons granted the Subsidy of Wooll, Woollfells, and Leather, as it was last granted, until Candlemas next: On the 25th of February, it being then expired, they grant the same Subsidy as it was last received, to Midsummer next following, and from that time for Four years.

In the Sixth of Richard the Second, in the First Parlement that year, the Lords and Commons perceiving the danger the Nation was in, granted a Fifteenth, and a Tenth.

In the Seventh of Richard the Second, in the First Parlement that year, the Commons with the assent of the Lords, gave Two half Fifteenths.

In the Second Parlement this year holden at Salisbury, the Lords and Commons considering the great Charge the King had been, and was to be at for Maintaining his Estate, his many Wars, and Defence of the Kingdom, granted Half a Fifteenth, and Half a Tenth.

In the Eighth of Richard the Second, the Lords and Commons grant Two Fifteenths upon Conditions there mentioned.

In the Ninth of Richard the Second, the Lords, Great Men, and Communities of Counties, Cities, and Burghs, granted to the King for the Voyage of the Duke of Lancaster into Spain, keeping of the Sea, and Marches of Scotland, a Tenth and Fifteenth, and Half a Tenth and Fifteenth.

And then the Prelates and Noblemen, and Great Men, (Proceres & Magnates) and the Communities aforesaid, granted to the King the Subsidy of Wooll, Woollfells, above the ancient Custom of 6 s. 8 d. a Sack, 42 s. 4 d. of Denizens, and 46 s. 8 d. of Strangers, and of Leather and Pelts or Woollfells, (pellibus lanatis) in like manner according to the Rate.

In the Tenth of Richard the Second, the Lords and Commons grant to the King Half a Tenth, and Half a Fifteenth, also Three Shillings per Tun upon Wine, and Twelvence in the Pound upon other Merchandise, coming in and going out, upon Condition the the Commission made to Fourteen continual Counsellors might no ways be repealed, and that they might execute the Power granted by that Commission without disturbance.

In the Eleventh of Richard the Second, the Parlement began on the Morrow of the Purification, or 3d of February: The Lords and Commons then granted Half a Tenth, and Half a Fifteenth.

The Lords and Commons also grant until Whitsunday next coming 3 s. per Tun upon Wine, and a Shilling in the Pound upon Goods; also they grant the Subsidy of Wooll, Leather, and Woollfells, for the same time, as it was last paid.

The Lords and Commons then likewise grant to the King 43 s. 4 d. the Sack upon Wooll, above the ancient Custom upon Denizens, and 46 s. 8 d. upon Strangers, upon every Two hundred and forty Woollfells, or Woollskins, the same Duty, upon both Denizens and Strangers, as upon Wooll.

Upon

Upon every Last of Leather Six Marks, and 6 s. 8 d. upon Denizens, besides the ancient Custom, and upon Strangers Seven Marks besides the ancient Custom, from Whitsunday (which was this year the 23d of May) until Midsummer, and from thence to Midsummer next following.

The Lords and Commons grant a Subsidy of Wooll Transported, &c. 33 s. 4 d. the Sack upon Denizens, and 36 s. 8 d. the Sack upon Aliens.

In the Fourteenth of Richard the Second, the Lords and Commons grant the King for Three years a Subsidy of Wooll, &c. Three Shillings upon every Tun of Wine, and Twelve Pence upon every Pound of Merchandise, as in the Eleventh year, so as the same may be only employed for the defence of the Realm, &c.

In the Fifteenth of Richard the Second, the Lords and Commons grant Half a Fifteenth, and Half a Tenth, if the King went into France in his own Person to Treat of Peace or Truce; and besides a whole Fifteenth and Tenth if there should be War.

In the Sixteenth of Richard the Second, the Commons by assent of the Lords Spiritual and Temporal, grant to the King for Three years the Subsidy upon Wooll, &c. Three Shillings the Tun upon Wine, Twelve Pence per Pound upon Merchandise.

In the Seventeenth of Richard the Second the Lords and Commons grant to the King for Three years, Six Pence upon every Pound of Merchandise, and One Shilling and six pence upon every Tun of Wine.

In the Eighteenth of Richard the Second, the Lords and Commons grant to the King a Tenth, and a Fifteenth for the Conquest of Ireland.

The Commons by assent of the Lords Spiritual and Temporal, granted to the King Twelve Pence in the Pound of all manner of Merchandises, and Three Shillings of every Tun of Wine for Three years.

The Commons on the last day of the Parlement at Shrewsbury, which was Thursday the last of January, by assent of the Lords Spiritual and Temporal, granted to the King the Subsidy of Wooll, Leather, and Woollfells during his Life, and One Tenth, and One Fifteenth, and Half a Tenth, and Half a Fifteenth.

His Wives.

THE First was [1] Ann, Daughter to Charles the Fourth Emperor of Germany, who having been his Wife [2] Twelve years, died without Issue.

His Second was [3] Isabell, Eldest Daughter to Charles the Sixth King of France, to whom he was Married the 28th of October 1396, being then not above Seven or Eight years of Age, and therefore never Bedded her, having been Dethroned and Murdered about Three years after.

F I N I S.

M m m

Rot. Parl.
13 Ric. II.
n. 20.

Ib. n. 14 Ric. II.
n. 16, 17.

Ib. 15 Ric. II.
n. 10.

Ib. 16 Ric. II.
n. 11.

Ib. 17 Ric. II.
n. 12.

Ib. 18 Ric. II.
n. 6.

Ib. 20 Ric. II.
n. 18.

Ib. 21 Ric. II.
n. 75.

[1] Wal. p. 40.
2. 281. n. 40.

[2] Ib. f. 350.
n. 40.

[3] Ib. f. 353.
n. 39.

*The Authors and Records from
whence the Materials are taken.*

A **N**icholas Trivet, a Monk of Bridlington, wrote the Life of Edward the First, and lived in or about the time, a Manuscript in the Norfolk or Arundell Library in Gresham-College, London, N. 220. the second Treatise, pag. 52. This is Transcribed by Walsingham.

B **Adam Murimuth** was a Canon of London, and as he writes of himself, was of sufficient Age to consider what Authors wrote, and to write himself; he begins his History in A. D. 1303. and the first Three years Story he had out of the Chronicles of Westminster; The residue he wrote was, what he saw and heard in his own time, which was to the Twenty first of Edward the Third, in the Custody of Dr. Covell Master of Christ's College in Cambridge; Much of him also Transcribed by Walsingham.

C **Robert of Avesbury** wrote the Life of Edward the Third, and as he Reports of himself, was Keeper of the Registry of the Court of Canterbury, he lived in the time of Edward the Third; a Manuscript in Sir Simmonds Dewes's Library at Stow Lanthorne in Suffolk.

Thomas de la More Kt. Servant to Edward Second, and out-lived him, Printed at Francfort, A. D. 1603.

Frier John Trokelow's Annals of Edward the Second, a Manuscript in the Cotton Library, Claudius D. 6.

D **Puteanus**, or Monsieur Dupuy, Counsellor and Library Keeper to the King of France, wrote the History of the Condemnation of the Templars, from the great Register of the Process against them, in the French King's Treasury of Records, from Page 113, to Page 222; and out of the Inventory of the King's Papers and Instruments concerning the same Matters, from Page 70, to Page 111.

Froysard was a Clerk in King Edward's Court, and Servant to Queen Philip, and often in King Richard's Court, as he lays of himself in the last Chapter of his Second Volume.

E **Ranulph Higden**, or the Monk of Chester, **Mathew of Westminster**, and **Walsingham**, are known Authors, and mentioned before in my First Volume of this History.

The Close, and Patent Rolls, the Rolls of Rome, France, Gascoign, Scotland, the Parlement Rolls, and others in the Tower of London.

F

A Manuscript in the Prologue to his History.

P. 76. in the Rubrick to the first Chapter.

Fislaus, p. 899.

Advertisements to the Candid R E A D E R.

THE Church-Affairs are mostly such as hap-
ned, and were Contested inter Regnum &
Sacerdotium, between the Ecclesiastic and
Secular Government, relating to the Politic State of
the Kingdom, or indeed between our Kings and the
Popes: For certainly all our Intestin Troubles, Com-
motions, and Wars, in some of the Former Reigns,
and in These, were Fomented, Managed, and Car-
ried on, in a great measure, by the then Clergy,
and even those called the Barons Wars; who to
make their Own Advantage, and repair their For-
tunes, when reduced to a low Condition by their own
Vanity and Profuseness, were their great Assistants,
with Religion and Holy Church in the Front of
their Designs.

That the Translations of the Latin and French
are Literal and Verbal, as near as might be, accord-
ing to the very Meaning of the Words.

And, That some particular Parts of the Cita-
tions in Latin and French, are more frequent than
they might have been; because many Men, without
the Words of the Authors themselves, are loth to
understand or believe such things as are delivered
by them.

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F I N I S.

THE

APPENDIX.

E *Edwardus Dei Gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitanie, Vicecomiti Eborum Salutem. Cum Defuncto jam celebri memorie Domino Henrico Rege Patre nostro, ad nos Regni gubernaculum Successione Hereditaria, * ac Procerum Regni voluntate, & Fidelitate nobis præstita sit devolutum, per quod Nomine nostro qui in exhibitione Justitiæ & Pacis conseruatione omnibus & singulis de ipso Regno sumus exnunc debitores, pacem nostram dicti Magnates, & Fideles nostri jam fecerant Proclamari. Tibi præcipimus quod per totam Ballivam tuam in singulis Civitatibus, & Burgis, Feriis, Mercatis, & locis aliis pacem nostram publicè clamari, & firmiter teneri facias inhibendo omnibus & singulis sub periculo exheredationis, vitæ & membrorum pacem nostram infringere præsumat. Nos enim omnibus & singulis in omnibus Juribus & rebus ipsos contingentibus contra quoscunq; tam majores quam minores parati sumus & erimus plenam auctore Domino Justiciam exhibere. Testibus W. Ebor. Archiepiscopo, E. Cornub. & Gloucest. Comitibus apud Westm. vicefimo tertio die Novemb. Anno Regni nostri primo.*

Consimiles literæ diriguntur singulis Vicecomitibus per Angliam.

E *Edwardus Dei Gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitanie, omnibus ad quos præsentis literæ pervenerint Salutem; Cum defuncto jam celebri memorie Domino Henrico Rege Patre nostro (cujus animæ propitiatur Altissimus) ad nos Regni gubernaculum Successione hereditaria pervenerit, ob quod pacem nostram nomine Regio firmiter observandam solemniter & publice fecimus proclamari, ac Prelati, Comites, Barones, & cæteri, Proceres regni Sacramentum fidelitatis, & alia quæ ratione coronæ & dignitatis regie, ab ipsis fieri seu præstari, nobis in absentia nostra potuerunt, plenarie & sine omissione aliqua * prompte & libenti animo nobis præstiterint; Ac dilectus & fidelis noster Leulinus filius Griffini Principis Walliæ, nobis consimile Sacramentum fidelitatis præstare teneatur, dedimus dilectis nobis in Christo, Abbatibus de Dore, & de Hagenham, nomine nostro potestatem recipiendi fidelitatem ipsius Leulini. Ita tamen quod si non ambo ipsorum Abbatum potuerint interesse, alter eorum, qui præsens fuerit nihilominus plenam habeat potestatem recipiendi nomine nostro fidelitatem Leulini prædicti. In cujus rei testimonium has literas nostras fieri fecimus Patentis. Datas per manum Walteri de Gerton Cancellarii nostri apud novum Templum Londini, 29 die Novemb. Anno Regni nostri primo.*

N. 1.
Clau. 1. Ed. 1.
M. 11. de pace
Regis Edwar.
Proclamanda.
* See the mean-
ing of the
Words (ac proce-
rum Regni volun-
tate) in
the next Re-
cord.

N. 2.
Bundela Bre-
vium, &c. An.
1. Ed. 1. N. 1.
in the Tower.

* These words
(prompte &
libenti animo)
expound and
give the mean-
ing of the
Words in the
former Writ,
(ac procerum
Regni volun-
tate) i. e. re-
adily, freely, in
their own ac-
cord, without
Direction, or
Command.

A

The

The Return to this Writ.

Excellenti viro, & omni veneratione dignissimo, Domino **W.** de **Berton.** Domini Regis Cancellario; tuus semper **R. Spring-**
hose Constabularius de **Montomeri** Salutem, & devotam cum omni ho-
nore Reverentiam. Venerandæ Dominationi vestræ duxi significandum.
Quod viri religiosi de **Dore** & de **Hagenham** Abbates juxta Mandatum
Domini Regis per vos eis directum, in Octab. Sancti Hilarii persona-
liter accesserunt ad vadium ultra **Montomeri**, obviam Domino **L. filio**
Griffini Principis Walliæ, ad accipiendum ab eo, nomine dicti Domini
Regis Sacramentum fidelitatis, quibus associavi quosdam de homini-
bus: **Ballivæ** mæ, qui apud dictum vadium multum ultra Horam Nonæ
(much beyond Noon) adventum dicti Domini expectantes: nec ipse
venit, nec aliquod Mandatum eis direxit (sent them any Message) va-
leat Veneranda dominatio vestra semper in Domino.

REX Magistro **Richardo** de **Clifford** Eschatori suo citra **Tren-**
tam, salutem. Sciatis quod assignavimus vos ad assidendum
Callagium in Villâ **Bissoll**, & ad talliandum omnes illos in eadem
Villâ separatim per capita, vel in Communi prout in aliis tallagiis villæ
prædictæ fieri consuevit. Et ideo vobis mandamus, quod præmissa
faciatis in formâ prædictâ. Mandavimus enim omnibus & singulis de
Villâ prædictâ quod vobis ad hoc intendentes sint, & respondentes
sicut prædictum est. In cuius, &c. Dat. per manum **W.** de **Berton**,
apud **Westm.** vicefimo septimo die Januarii.

REX Vicecomiti **Surr'** & **Suffex** salutem. Intelleximus ex cla-
mosâ & gravi querimoniâ multorum, quod plures Malefactores in
Ballivâ tuâ commorantes, & per eam discurrentes, depredationes, bo-
micia, & alia enormia perpetrant, contra pacem nostram, quam tu
ipse in prædictâ Ballivâ tuâ specialiter conservare teneris. Et quia sa-
tis constat, quod hujusmodi malefactores diu in Ballivâ tuâ morari, &
receptari non possent, si tu pro pace nostrâ ibidem conservandâ diligen-
tiam apponeres, sicut deberes; de sicut posse Comitatum prædicto-
rum in hujusmodi necessitatibus, ad tuam esse summonitionem & di-
strictionem. Tibi præcipimus, quod sicut te ipsum diligis, & sicut de
receptione & consensu prædictorum malefactorum esse volueris liber
& immunis, & ne ad te tanquam inde culpabilem nos capere debe-
amus, talem & tantam diligentiam contra hujusmodi malefactores ap-
ponas, tam per te, quam per posse Comitatum tuorum prædictorum,
ne tibi post præsens mandatum nostrum imputari debeat, quod per tuam
negligentiam & consensum talia in tuâ Ballivâ amodo perpetrentur.
Scire etiam facias omnibus Ballivis, sive in libertatibus, aut alibi in
Comitatibus tuis, & clamari quod ipsi eandem diligentiam pro con-
servatione pacis nostræ in suis custodiis apponant, & taliter se habeant
in hac parte, ne pro hujusmodi depredationibus, homicidiis, & trans-
gressionibus ad eos tanquam inde culpabiles nos capere debeamus. Et
si qui de Comitatibus prædictis, sive de libertatibus, aut alii in hoc
negligenter se habuerint, aut tibi ad tuum mandatum ad hoc assistere
noluerint, tu hoc nobis sicut te ipsum indempnem & absque periculo
conservare volueris, sine dilatione significes, ut contra eos, tanquam
hujusmodi depredationibus, & homicidiis consentientes exinde proce-
damus. In cuius, &c. Dat. &c. apud **Westm.** sexto die Junii.

Edwardus

N. 3.
Pat. 1. E. 1.
M. 18. de Tal-
lagio assidendo

N. 4.
Pat. 1. E. 1.
M. 16. de con-
servatione pa-
cis per Angl.

Edwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux
Aquitaniæ dilecto Clerico & Cancellario suo **Waltero** de **Berton**
Salutem. Super diligentiam, quam circa nostra & Regni nostri negotia
apposuitis Grates vobis referimus speciales, rogantes, quatenus id,
quod laudabiliter inchoastis, feliciter continuare curetis, in his, quæ
ad officium vestrum pertinent. Cuiusque facientes Justitiam exhiberi,
alios autem ad id pariter inducentes; non parcentes conditioni
aut Statui cujuscunque. Quin Rigor Juris ipsos coherceat, quos equi-
tatis suavitas nequit ab injuriis cohibere. Ea namque quæ ritè feceritis
circa ista faciemus (disponente Altissimo) robor firmitatis constan-
tissimè obtinere. Dat. apud **Wetun.** Super **Seckene** (i. e.) (super **Se-**
quanam) or the River **Seyne** in **France**. Nono die Augusti, Anno Reg-
ni nostri primo.

N. 5.
Bundela B.e-
vium in Turri
Lond. N. 11.

REgi Franc. Rex Angl. Salutem. Mandatum vestrum nuper re-
cepimus continens, quod ad instans Parliamentum vestrum, om-
nium Sanctorum, viz. in Crastino quindenæ Festivitatibus Beati **Martini**
in hieme cognitioni causæ, quæ vertitur in Curia vestra inter nobiles
viros, **Robertum**, Ducem **Burgundiæ**, ex una parte, & **Robertum**
Comitem Nivernensem, & **Robertam** uxorem ejus **Comitissam Ni-**
verensem, ex alterâ super Ducatum de **Burgundia** ac pertinentias,
nec non processibus super hoc habendis personaliter interessamus; ve-
rum quia ob ardua Regni nostri negotia, quæ habemus tractanda ad
illum diem tunc vobis accedere non valeamus; Dominationi vestræ sup-
plicamus, quatenus absentiam nostram in hac parte si placet habere
velitis favorabiliter excusata, dantes insuper, dilectis & fidelibus no-
stris **Mauritio** de **Creddom**, **Ottoni** de **Grandisono**, & **Rogero**
de **Clifford**, hujusmodi excusationem nostram plenius faciendam, cum
nostro mandato speciali plenariam potestatem. Teste Rege apud **West-**
minster' undecimo die Novembris.

N. 6.
Pat. 3. Ed. 1.
M. 2

REX Vicecomiti **Norf.** & **Suff.** salutem. Quia **Letwinus** filius
Griffini, & alii **Waleses** Complices sui inimici, & Rebelles nostri,
totiens temporibus nostris, & Progenitorum nostrorum Regni Angliæ,
pacem Regni turbârunt, & rebellionem suam, & maliciam jam resump-
tam continuare non desistunt, animo indurato, propter quod negoti-
um, quod ad ipsorum versutiam reprimendam jam incepimus de consi-
lio procerum; & magnatum regni nostri, necnon & totius Communitatis
ejusdem ad præsens proponimus, ad nostram & totius regni pacem &
tranquillitatem perpetuam Domino concedente finaliter terminare com-
modius etiam & decentius esse perpendimus; quod nos & incole ter-
re nostre ad ipsorum maliciam totaliter destruendam, pro communi
utilitate laboribus & expensis fatigemur, hac vice licet onus difficile
videatur, quam hujusmodi turbatione per **Waleses** ipsos nunc habitâ
pro voluntate sua futuris temporibus cruciari, prout tempore nostro,
& Progenitorum nostrorum contigit. Manifestè tibi præcipimus, firmi-
ter injungentes quod venire facies coram nobis in Octab. Sancti Hilarii
apud **Borthampton**, aut coram fidelibus nostris, quos ad hoc duxerimus
deputand. Omnes illos de Ballivâ tua ad arma potentes & aptos,
qui habent ultra viginti libratas terre & qui nobiscum in expeditione
nostrâ **Wall.** non existunt, & quatuor milites de utroque Comitatu
prædicto pro Communitatibus eorund. Comitatum habentes plenari-
am potestatem. Et de qualibet Civitate, Burgo, Villa Mercatoriâ, duos
homines

N. 7.
Rot. Wall. 11.
Ed. 1. M. 4
Dorf. N. 1.

homines similiter potestatem habentes pro *Communitatibus* eorund. ad audiend. & faciend. ea, quæ sibi ex parte nostra faciemus ostendi. Et nulli de *Ballivâ* tua ultra *viginti* libratis terre habenti, & ad arma potenti, & apto, amore, favore, & munere, seu timore, vel alia quacunque ratione parcere vel differre præsumas. Nec etiam aliquem ultra *viginti* libratis terre non habentem, licet ad arma aptus, seu potens fuerit, coram nobis, vel fidelibus nostris prædictis aliquatenus venire facias ex causa prædictâ. Et de nominibus omnium illorum, quos sic venire feceris, Nos vel prædictos fideles nostros, ad prædictos diem & locum per præfatos quatuor milites reddas certiores & habeas ibi nomina quatuor militum illorum. Et hoc breve & hæc omnia sicut te & tua diligis facere non omittas. Teste Rege apud Rothelan. vicesimo quarto die Novembris.

Eodem modo mandatum est Vicecomitibus, Nott. & Derb. Salop. Staff. Cant. Hunt. Essex. Hertf. Buck. Bedf. Somerset. Dorf. Surr. Suff. War. Leic. Oxon. Berk. Lanc. Midd. Northampt. Rotel. Lincol. Cornub. Devon. Wilts. Heref. Wigorn. Glouc. & Southt. quod venire facias apud Northampt. & Vicecomitibus Eborum, Cumb. Westmer. Northumbr. & Lanc. quod venire facias, &c. apud Eborum.

N. 8.
Clauſ. 10. Ed.
1. M. 4. intus
de decima ex-
tra Regnum
non deferenda.

REX dilecto Conſanguineo & Fideli ſuo *Edmundo. Comiti Cornubiæ* ſalutem. Quia quibuſdam certis de cautis, nolimus quod decima ſex annorum nuper a *Clero Regni noſtri* in ſubſidium terræ ſanctæ conceſſa & jam in eodem Regno collecta, ad præſens extra idem Regnum deferatur, vobis mandamus quod venire faciatis coram vobis omnes mercatores London. tam de Societatibus quàm alios, & eiſdem injungatis, & ſub periculo amiſſionis vite & membrorum, & omnium bonorum ſuorum, quæ poſſident in Regno noſtro, inhibeatis ex parte noſtrâ, ne Pecuniam de dictâ decima provenientem, nullo modo deferant, aut deferri faciant, ſeu permittant extra Regnum. Et ſi quos Mercatores aut alios Pecuniam de dictâ decima provenientem, extra dictum regnum deferre volentes inveniri contigerit, tum ipſos cum dictâ Pecuniâ arreſtari, & ſalvo cuſtodiri faciatis, donec aliud inde a nobis habueritis in mandatis. Teſte rege apud Hertlebir. 24 die Maii. Et mandatum eſt *Majori & Vicecomitibus London. &c.* Item mandatum eſt *Stephano de Pencheſtre Cuſtodi* Quinq; Portuum, &c.

N. 9.
Pat. 17. Ed. 1.
M. 3. 4.

REX Prælatiſ, Magnatibus, ac toti *Communitati Regni Scotiæ* ſalutem & dilectionem ſinceram. Quia negotia quæ contingunt *Kariſſimam Conſanguineam noſtram, Margarettam Dominam, & Reginam regni ejuſdem* ad honorem Dei, & tranquillitatem totius *Communitatis* ejuſdem regni, & commodum & proſectum ipſius conſanguineæ noſtræ, bene & fideliter proſperari, totis deſideriis peroptamus; vos requirimus & rogamus attentè, quatinus Cuſtodibus ad regimen dicti regni nomine prædictæ noſtræ conſanguineæ deputatis, taliter intendentes ſitis & obediendes. Quod nos & Domina veſtra antediſta poſſumus & debeamus fidelitatem veſtrum merito habere commendatam, proponimus ſiquidem, &c. ad partes Scotiæ aliquos de noſtro conſilio deſtinare per quos, ac etiam per ipſius terræ cuſtodes de ſtatu ejuſdem regni, quem appetimus tranquillum & pacificum ſemper eſſe, certificati erimus, Deo dante. Dat apud Clarendon. ſexto die Novembris.

Theſe Letters were alſo entred upon the Cloſe Roll.

ReX

REX venerabilibus Patribus *Willielmo Sancti Andree, & Roberto Glaſguenſi Episcopis*, ac nobilibus viris *Johanni Comyn, & Jacobo Senſcrallo Cuſtodibus Regni Scotiæ*, cæterisq; *Episcopis, Abbatibus, Prioribus* toti; *Clero, Comitibus, Baronibus*, ac toti *Communitati* regni ejuſdem ſalutem. Cum ad leges & conſuetudines *Regni Scotiæ* obſervandas, ex Sacramenti, præſtiti debito teneamus, Nos de probatâ fidelitate, & notâ induſtriâ præſelecti noſtri *venerabilis Patris, Domini Antonii, Dei Gratia Dunelmensis Episcopi* pleniffimè confidentes, ad pacem, tranquillitatem, & proſectum totius regni *Scotiæ*, ac etiam ad Supportationem oneris cæteris ipſius regni *Scotiæ* incumbentis, eundem Episcopum ad vos mittimus, & tenore præſentium assignamus, ad tenendum in eodem regno locum, chariffimæ conſanguineæ noſtræ, *Domine Margareta* filiz magnifici *Principis Domini Ricardi, Dei Gratia Regis Norw. &c.* illuſtris, Domine & Regine veſtræ, ac chariffimi nati noſtri *Edwardi* & ad juſtificandum, & ratificandum regnum prædictum, una cum cæteris ipſius cuſtodibus, de conſilio *Prælatorum & Magnatum* ejuſdem regni, ſecundum leges & conſuetudines inibi hæctenus obſervatas. Quare *Univerſitatem veſtram* attentius requirimus, & rogamus, quatinus ob honorem noſtrum, *Domine veſtræ, & nati noſtri*, eundem Episcopum ad præmiſſa benignè & Curialiter, ſitis intendentes, & obediendes eidem in hiis omnibus, quæ ad *Gubernationem & ſtatum* ipſius regni *pacificum* requiruntur. In cujus, &c. Dat. apud North. 28 die Auguſti.

N. 10.
Pat. 18. Ed. 1.
M. 9.

A Tous iceulx qui ceſte preſent Lettre verront ou orront *Florence Comte de Holland, Robert de Bus Seigneur du val Dunaand, Jan Batiol Seigneur de Galeswie, Jan de Baſſings Seigneur de Abergeine, Jan Comyn Seigneur de Badenaw, Patrique de Dindbar, Comte de la Marche, Jan Aſley pur ſen pere, Nichol de Seules, & Guillaume de Ros*, Saluz en Dieu. Mon nous entendons a' aver Droyt en Royaume de Eſcoce celle droyt munſter, chalanger & averer devant celuy qui plus de poer Jurisdiction, & reſon eult de trier noſtre droyt, & le noble Prince Sire Edward par le Grace de Dieu, Rey d'Angleterre nous eit enforme per bons & ſuffisant reſons que a ly apent & aver dict la Sovereign Seignorie du dit Royaume d' Eſcoce, & la conſance de Oir, Trier, & Terminer noſtre Droyt. Nous de noſtre propre volonte ſans nulle mane de force ou diſtreſſe volons, otrions, & grantons de receiver droyt devan luy come Sovereign Seigneur de la terre. Et volons ja le menis, & promettons que nous averons etendrons ferm & ſtable ſon fait, & qui celuy empertera le Royaume a qui droit le durra devan luy. En Teſtimoyne de ceſte choſe nous avons mis nous Seales a' ceſt Eſcript fair & donne a' Norham le Mardi prochien apres le aſcencion l' an de Grace 1291.

N. 11.
Ret. de Superi-
rioritate regis
Anglie in Reg-
no Scotie, &c.
Anna 19. 10.
11. 22. 23. Ed.
1. in Tur. Lond.
Et Mat. Weſt.
ſol. 415. N.
10. 20.

A Tous iceulx, &c. (as above) *Florence Comte de Holland, &c.* (as before) Saluz en Dieu. Com nous avons otrie & grant de noſtre bon volonte, & com une aſſent ſans nulle deſtreſſe a Noble Prince Sire Edward, par la Grace de Dieu Rey d' Angleterre qui come *Sovereign Seigneur de la terre d' Eſcoce* penſoier, trier & terminer, nos *Chalenges* & nos *Demandes* que nous entendons *Munſter & Averer pur noſtre droyt en la Royaume d' Eſcoce* & droyt receiver devant luy; Come *Sovereign Seigneur de la terre* promettant Sale meins que ſon ſet auran & tendoron terme & ſtable, & qui

N. 12.
1b in Rot. &c.
& Mat. Weſt.
N. 40. 50.

qui l'emportera le Royaume a qui droyt le durra devant luy. Mes pur ceo que l'avant dit Rey d'Angleterre, ne püst nule manere confiance fair ne accomplir sans judgement ne dict estre sauns execution, ne execution ne peut il feire duement sauns la possession & seysine de nisme la terre, & de chasteaus : Nous volons, otrions, & grantons, que il come Sovereine Seigneur a per fair les chose avant dits & a la seysine de soule la terre & de chasteaus D'Escoce, tant que droyt soyt fait & performy a Demandons en tel manere que avant ceo qu'il & la seysine avant dit face bon suerte & suffisant as demandans, & a Gardeins, & a comune de Royaume D'Escoce, a feir la reversion de mesme la Royaume, & chasteaus ou toute la Royante, Dignite, Seigneurie, Franchises, Custume, Dreitures, Leys, Usages & Possessions, & toutes maneres de apurtenances en mesmes, l'estat q'il estoient quant la seysine luy fust baillie & livere a celui qui le droyt emportera par jugement de la Royaume save au Rey d'Angleterre, le homage de celui qui sera Roy l'ysnt que la reversion soit fait dedens les de uzmois, aprez le jour que le droyt sera trie & affirme & que les issues de mesme la terre en le fons tens receus soient sauvement, mis en depos & bien garder par le maine le Chamberleyn D'Escoce qui ore est & de celui qui sera assigne a luy de par le Rey d'Angleterre, & de tous lour seaus saune renable sustenance de la terre & des chasteaus & de Ministers du Royaume, en Testimoyne de ceste chose avant dit nous avons meis nos seaus a cest escript fait & donne Norham le Mercredie, apres l'Ascension l'an du Grace 1291.

This also was sent to several Monasteries by the King's Command, to be Inserted into their Chronicles for perpetual memory.

N. 13.
In Rot. de superioritate
Reg. Angl. &c.

E **EDWARDUS**, Dei Gratia, Rex Anglie, &c. & Superior Dominus Regni Scotie dilectis & fidelibus suis **Willielmo Sancti Andreae**, & **Roberto Glasguensi Episcopo**, **Johanni Comyn**, **Jacobo Seneschallo Scotie**, & **Briano, filio Alani**, Custodibus suis Regni Scotie, salutem. Cum **Johannes de Baliolo** nuper in Parlamento nostro apud **Berwicum** super **Twedam**, venisset coram nobis, & petivisset predictum Regnum Scotie sibi per nos adjudicari & seisinam ipsius regni sibi ut proximiori **Heredi Margarite filie Regis Norwegie**, **Domine Scotie** & **Nepris**, quondam **Alexandri ultimi Regis Scotie** jure Successionis liberari. Ac nos auditis, & intellectis Petitionibus, & rationibus tam predicti **Johannis** quam aliorum petentium predictum regnum. Et eisdem Petitionibus, & rationibus diligenter examinatis, invenerimus prefatum **Johannem de Baliolo esse propinquorem Heredem predictae Margarite** quoad dictum Regnum Scotie obtinendum, propter quod idem regnum Scotie & seisinam ejusdem eidem **Johanni salvo jure nostro & haeredum nostrorum reddimus**. Vobis mandamus quod seisinam predicti regni Scotie cum omnibus pertinentiis suis infra idem regnum existentibus, & quae ad manus nostras tanquam ad Superiorem Dominum ipsius regni Scotie post mortem prefatae **Margarite** devenerunt, sine dilatione predicto **Johanni de Baliolo** deliberari iaciatis, salvo jure nostro & haeredum nostrorum cum voluerimus inde loqui. Salvis & etiam nobis **Releviis** & **Debitis** quibuscumque quae de exitibus supradicti regni Scotie, usque ad diem consecutionis presentium debebantur seu deberi poterunt quoquomodo. Teste ipso apud **Berwick** super **Twedam**, 13 die Novembris, regni nostri vigesimo.

In

IN Nomine Domini Amen. Anno à Nativitate ejusdem 1296. indictione nona Mensis Maii 13. presentibus venerabili in Christo Patri Domino **Antonio** permissione divina **Episcopo Dunelmensi**, ac nobilibus viris Domino **Johanne Warren**, **Rogero Northfolch**, **Pumphredo Hereford**, **W. de Warwick**, **Patricio de Dunbar** & **Marebrii**. **Gilberto de Angus Comitibus**, **Cestibus vocatis**, & rogatis cum aliis tam Baronibus, quam Militibus, quam Clericis & Laicis in multitudine copiosis, presente etiam me **Notario** Subscripto. Nobilis Vir Dominus **Jacobus Seneschallus Scotie Miles**, non vi, nec metu coactus, ut dicebat, sed spontanea sua & libera voluntate venit ad fidem & voluntatem Domini Regis Anglie, & confederationes, contractus, conventiones, & pacta quocumque nomine censeantur, si quae ipsius nomine vel consensu cum Rege Francorum vel sibi adherentibus contra dictum Dominum suum, Dominum Regem Anglie unquam initae extitissent, quantum in ipso fuit & ipsum contingebant vel contingere poterant quovismodo pro se & suis perpetuo annullavit, & invalida, & nulla fore pronuntiavit, sponteque pure & absolute quatenus de facto processerant, eisdem cum omni commodo, quod exinde sibi & suis poterit aliquoliter pervenire expresse renunciavit organo vocis suae. Et tactis sacrosanctis, & oscularis Dei Evangeliiis dicto Domino suo Regi Anglie fidelitatem fecit in subscripta forma & super fidelitate sua sic facta suas Patentes Literas sub nomine sua conceptas conficiens, veri sui Sigilli impressione pendente consignavit; quarum Literarum tenor in omnibus & per omnia est talis.

N. 14.
Rot. de jurament. Homag. & Fidelit. &c.
Rot. Scot. 24.
Edw. 1. pecia prima.

A Tous ceaus qui cestes Lettres verront ou orront **James Seneschal D'Escoce** saluz, pur ceo que nous fumes venit a la foy e la volonte du autres Noble Prince Chier Seigneur Sire **Edward**, par la Grace Dieu Roy D'engleterre, Seigneur D'Irland, & Duc's D'acquitaine, nous promettons pur nous e pur nos Heires sur pain de Cors e D'avoir e sur quant que nous pensloms encoure que nous ferroms en sa eide, e li serveiroms bies & Leawment contre totes gentz qui perront vivre & morir totes les foiz que nous ferroms requis ou garniz de par nostre Seigneur le Roy D'engleterre avant dit ou de par ses Heires; E que nous leur Damage ne scauons que nous nel desforbeoms a tot nostre poer e le leur faceoms assavoir, e a cestes Choses tenir e garder obligcoms nous e nos Heires e tous nos biens e outre ceo avoms jurcz sur Seints Evangelies. En Testmoyance de que chose nous avoms fait faire cestes Lettres overtes Seales de nostre Seal. Donecs a **Rocksburg** le trezim jour de Maii, lan de regne nostre Seigneur le Roy D'engleterre avant dit vintisme quart.

POST hæc vero (That is, after the King, and the Steward of Scotland, with many Noblemen, and others, had Renounced, done Homage, and Sworn Fealty,) Indictio Domini Regis Anglie Parlamento consentientibus utriusque Regni Nobilibus & Prelatis in Octavis assumptionis Beate Marie Virginis, Anno Domini & Indictione præ notatis (i. e. 1296 Indictione 9.) apud **Berwic** super **Twe**, congregatis ibidem predicti regni Scotie tam Episcopis, Abbatibus, Prioribus cum aliis Ecclesiarum Prelatis quam Nobilibus viris Comitibus,

N. 15.
Ibid. Rot. Scot.
24. 25. 26. Ed.
1. de jurament.
& fidelit. &c.

bus, Baronibus, & aliis Militibus, & Proceribus dicti regni cum Communitatibus Civitatum & Villarum, vicesimo octavo die Augusti, presentibus Nobilibus viris Domino Johanne Warrenia, Domino Rogero Northfolck, Domino Willielmo de Warwic, Patricio de Dunbar & Marchia, & Domino Gilberto de Auegos Comitibus: Domino Johanne de Hastings, Domino Johanne Wake, Domino Hugone le Despenfer, Domino Briano filio Alani, Domino Petro Corbett, Radulpho, filio Gulielmi, Johanne, filio Mar-maduci, Waltero de Hundercumbe, & Roberto de Hilton, Baronibus, cum Domino Rogero Brabanson, Milite & Magistro, Johanne de Cadomo, Publico autoritate Pape Notario, Testibus ad Subscripta vocatis specialiter, & rogatis cum aliis tam Militibus & Clericis quam Laicis in Multitudine copiosa, & me Notario Subscripto, (i. e. Andra Gulielmi de Tang, Clerico, &c.) venerunt in dicto Domini Regis Angliæ Parlamento memorato, non vi, nec metu coacti set spontaneâ & liberâ suâ voluntate supradicti Nobiles & Prelati dicti Regni Scotiæ, nec non & Milites, Proceres, & Regnicole, qui præfato Domino Regi Angliæ fidelitatem fecerunt, ut præmittitur, diebus & locis subscriptis, unâ cum omnibus, & singulis nominatis inferius, & fidelitatem eandem prædicto Domino Regi Angliæ prius factam ut prædicatur, cum revocatione, cassatione, irritatione, & annulatione, consæderationum, contractuum, conventionum & pactorum quorumcumq; nomine censeantur, si quæ unquam suo nomine vel consensu clâm, vel palâm, cum Domino Philippo Rege Francorum, contra dictum Dominum Regem Angliæ iniita iuerant, qualitercumq; sive per ipsum vel Domini Johannis de Baliole, quondam Regis Scotorum Procuratores vel Nuncios, generales vel speciales destinatos in Franciam; & renunciationes easdem factas (ut superscribitur) innovarunt, omologarunt, laudârunt & etiam approbaverunt. Et de communi omnium Prælatorum, & Nobilium dicti regni Scotiæ consensu unanimi, & voluntate præfato Domino Regi Angliæ fidelitatem iteratâ & homagium pro omnibus Terris suis infra dictum regnum Scotiæ existentibus fecerunt, & tactis Sacrosanctis & osculatis Dei Evangelii in forma Subscriptâ fidelitatem suam firmarunt corporalis vinculo juramenti, & super fidelitatibus suis & homagiis sic factis, sicut infra patet, iterum suas Literas Patentes fecerunt suis Sigillis pendentibus consignatas. Quarum Literarum incipiendo primo ad Prælatos, Episcopos, Abbates, & Priores, subsequenter vero ad Nobiles, Comites, Barones, & alios Milites, & sic ultimo descendendo ad Communitates Villarum, & alios Incolas regni Scotiæ memorati seriatim in omnibus & per omnia Tales sunt Tenores.

A Touz ceaus qui cestres Lettres verront ou orront Robert Eveysq; de Glasca, Henry Eveysq; de Abirden, Thomas Eveysq; de Candida Casa, salut. Pur ceo que nous sumes venuz a la foi, e a la volunte due tres Noble Prince nostre Chier Seigneur Sire Edward par la Grace de Dieu, &c. Nous promettons par nous e pur nous Successeurs sur peine de Cors, e d'avoir, &c. (and as in that before of James, Seneschal of Scotland, verbatim) e a cestres choses tenir, e garder nos Obligioms nous, e nos Successeurs e tous nos biens, e outre ceo avoms jurez sur Saints Evangils, &c. En Testimoignace des ques choses nous avoms fait fair cestres Lettres overtres de nos Seales. Donez a Berwic sur Twede, le vint Butisme jour d' August

gust lan du Reign nostre Seigneur Roy D'engleterre avant dit vintisme quart.

After this manner are all the Fealties of the Bishops, Abbots, Priors, Earls, Barons, Knights, Communities of Cities, and Towns, and other Inhabitants of Scotland Recorded.

A **R**EX Venerabili in Christo Patri R. eadem gratia Cantuariensi Archiepiscopo totius Angliæ Primati, salutem, Vestrâ Paternitas plene novit qualiter vos, & alii Prelati & Clerus regni nostri apud Westminster (On Sunday before Sr. Andrew, or the thirtieth of November, then last past, before the date of this Writ) ultimo congregati in concessione decimæ Redituum, & Beneficiorum vestrorum Ecclesiasticorum pro defensione regni ejusdem usq; ad Festum Sancti Michaelis proxime futurum nobis facta, & a nobis sub spe uberioris subsidii in futurum a vobis & aliis præstandi admissa, bonum & sufficiens nobis pro futuro tempore subsidium ob eandem causam, nisi interim inter Regem Franciæ & Nos pacem reformari vel treugas iniri contingeret dare promissistis unanimiter liberaliter & libenter; cujus quidem reformationi Pacis vel initioni treugarum dictus Rex Franciæ hæcenus non consensit; Quocirca vobis Mandamus in fide, & dilectione quibus nobis tenemini firmiter injungentes quod in crastino animarum proxime futuro apud Sanctum Edmundum personaliter interfertis præmunes Priorem & Capitulum Ecclesiæ vestræ Archidiaconum, totumq; Clerum vestræ Dioceseos facienteq; quod Idem Prior & Archidiaconus in propriis Personis suis & dictum Capitulum per Unum, idemq; Clerus per duos idoneos Procuratores plenam & sufficientem potestatem ab ipsis Capitulo & Clero habentes una cum vobiscum interfertis modis omnibus tunc ibidem ad Ordinandum de quantitate & modo subsidii memorati. Teste Rege apud Berwick super Twede, vicesimo sexto die Augusti.

Beneficiis, &c. Ad perpetuam rei memoriam; Clericis Laicos infestis opido tradit antiquitas: Quod & præsentium experientia temporum manifeste declarant, dum suis finibus non contenti nituntur in vetitum, & ad illicita sua fræna relaxant, nec prudenter attendunt quomodo sit iis in Clericos Ecclesiasticas Personas & bona interdicta potestas: quinimmo Ecclesiarum Prælati, Ecclesiasticæ Personis regularibus & secularibus imponunt onera gravia, ipsos talliant & eis collecta imponunt, & ab ipsis suoq; proventuum vel bonorum dimidiam decimam seu vicefimam vel quamvis aliam portionem aut quotam exigunt & extorquent, eosq; moliantur multipharie subijcere servituti, & suæ subdere ditioni. Et quod dolendo referimus nonnulli Ecclesiarum Prælati, Ecclesiasticæ persone trepidantes ubi trepidandum non est, transitoriam pacem quærentes, plus timentes Majestatem Temporalem offendere, quam æternam, talium abusibus non tam temerariè quam improvide acquiescunt, sedis Apostolicæ Auctoritate non optentâ. Nos igitur talibus actibus obviare volentes de fratrum nostrorum consilio Apostolicâ Auctoritate statuimus, quod quicumque Prælati Ecclesiasticæ persone, religiosi vel seculares, quorumcumq; ordinum, conditionis, sive status, collectas vel tallias, dimidiam, decimam, vicefimam seu centesimam suorum & Ecclesiarum suarum proventuum vel bonorum Laicis solverint, vel se soluturos contulerint,

N. 16.
Clauſ. 24. Ed.
1. M. 7. Dors.
de Parliament.
tenendo.

N. 17.
H. de Knight.
ton, Col. 2489.
N. 60. & in
Biblioth. Cot.
Tiber. E.4. N.2

cesserint, aut quamvis aliam quantitatem, portionem, aut quicquam ipsorum proventuum vel bonorum estimationem vel valorem ipsorum sub adiutorii mutui, subventionis, subsidii, vel doni nomine, seu quovis alio timore vel modo vel quaesito colore, absq; auctoritate sedis ejusdem, necnon Imperatores, Reges seu Principes, Duces, seu Comites, vel Barones, Proceres, Capitanei, Officiales vel Rectors, quocumq; nomine censeantur, civitatum, castrorum, vel quorumcumq; locorum constitutorum ubilibet & quovis aliis cujuscumq; Provinciæ, conditionis, & status qui talia imposuerint, & exegerint vel receperint, aut apud aedes sacras deposita Ecclesiarum vel Ecclesiasticarum personarum ubilibet arestaverint, seiserint, vel occupari mandaverint, aut occupata, seista, seu arestata receperint, necnon omnes qui scienter in prædictis dederint consilium, auxilium, vel favorem publice vel occulte, eo ipso Sententiam Excommunicationis incurrant. Univeritates quæ in hiis culpabiles fuerint Ecclesiastico supponimus interdictio.

Prelatis & Ecclesiasticis Personis in virtute obedientiæ & sub depositionis penâ districtè mandantes ut talibus absq; expressa licentiâ dictæ sedis nullatenus acquiescant. Quodq; prætextu cujuscumq; obligationis, promissionis, & concessionis factarum hæcenus vel faciendarum in antea priusquam hujusmodi constitutio, prohibitio, seu præceptum ad noticiam ipsorum pervenerit nil solvant, nec supradicti seculares aliquod quoquo modo recipiant. Et si solverint vel prædicti receperint, in sententiam Excommunicationis incidant ipso facto. A supradictis autem Excommunicationis & interdicti sententiis nullus absolvi valeat, præterquam in mortis articulo, absq; sedis Apostolicæ Auctoritate & Licentiâ speciali. Cum nostræ intentionis existat tam horrendum secularium potestatum abusus, nullatenus sub dissimulatione transire, non obstantibus quibuscumq; privilegiis, sub quibuscumq; tenoribus seu modo aut verborum conceptione concessis Imperatoribus, Regibus, & aliis supradictis, quæ contra præmissa in nullo volumus alicui vel aliquibus suffragari. Nulli igitur hominum liceat hanc paginam nostræ constitutionis, prohibitionis seu præcepti infringere seu ausu temerario contraire. Dat. Romæ ad Sanctum Petrum VI. Calendarum Marcii, Pontificatus nostri Anno secundo.

Feb. 25. 1297.
24. Ed. 1.

N. 18.
Clauſ. 25. Ed.
1. M. 23. De
Licet fecit
Cleric capendi.
in man. Reg.

REX Vicecomiti Lincoln. Salutem. Propter aliquas certas causas tibi precipimus, quod omnia Laica feoda totius Cleri de Balliva tua tam Archiepiscoporum, Episcoporum, & Religiosorum quam aliorum Clericorum quorumcumq; cujuscumq; status existant una cum bonis & catallis in eisdem inventis, sine dilatione capias in manum nostram & ea salvo custodire facias, ita quod nec ipsi, nec aliquis per ipsos manum ad ea apponant, donec aliud inde preceperimus. Et hoc nullatenus omittas. Teste Rege apud Ely, duodecimo die Februarii.

Eodem modo mandatum est singulis Vicecomitibus per Angliam. Teste ut supra.

Edwardus

EDwardus, &c. Capitaneo Marinariorum & eisdem Marinariis ac omnibus Ballivis & fidelibus suis ad quos præsentis literæ pervenerint, salutem. Cum Prelati & Clerus Ebor. & Karliolen. Civitatum & Diocesum prudenter intuentes inevitabilis necessitatis angustias quibus Ecclesiæ suæ & totum regnum Angliæ occulata fide exponuntur, & subjacent hiis diebus, usq; ad quintam partem Beneficiorum & bonorum suorum istius anni juxta taxationem nuper factam de Beneficiis Ecclesiasticis de quibus decima, ultimo in subsidium Terræ Sanctæ concessa, data fuit, ordinaverint & constituerint se ponere ad defensionem suam, & Ecclesiarum suarum, & ad resistendum machinationibus & invasionibus hostium, qui alias applicantes in dictum Regnum, Dei timore postposito, Ecclesias combusserint, vasa sacra & alia ornamenta divino dedicata cultui rapuerunt, personas Ecclesiasticas etiam decrepitas in eisdem inhumaniter trucidarunt, quiq; raparatis prioribus & novis & incognitis eidem regno navium & armorum adinventis generibus, ad invadendum regnum illud se fortius solito præpararunt. Nos ipsorum circumspèctam providentiam commendantes, suscepimus in protectionem & defensionem nostram specialem, prædictos Prelatos & Clerum, & singulos eorundem homines, terras, res, redditus, & omnes possessiones suas: Et ideo vobis mandamus, quod prædictos Prelatos & Clerum & singulos eorum homines, terras, res, redditus, & omnes possessiones suas manuteneatis, protegatis, & defendatis, non inferentes eis, vel inferri permitrentes injuriam, molestim, dampnum, aut gravamen. Et si quid eis forisfactum fuerit, id eis sine dilatione emendari faciat. In cujus, &c. usq; ad festum omnium sanctorum futur. prox. duratur. Nolumus autem, sed firmiter inhibemus, ne de bladis seu aliis bonis & catallis prædictorum Prelatorum & Cleri, seu alicujus eorum ubicumq; consistant ad opus nostrum aut aliorum quorumcumq; sine licentiâ & voluntate eorundem Prelatorum & Clericorum aliquid interim capiatis, seu capi faciat, quo minus de eisdem bonis & catallis suis liberè disponente & ordinare, ac commodum suum facere possit, prout sibi melius viderit expedire. Teste meipso apud Walsyngham, 6 die Februarii, Anno regni nostri viceſimo quinto.

N. 19.
Pat. 25. Ed. 1.
M. 14. intus. Is
passed under
the Great Seal
Feb. 18. 1297.
1297.

REX omnibus Ballivis & Fidelibus suis ad quos, &c. Sciatis quod suscepimus in protectionem & defensionem nostram specialem dictum Clericum nostrum Iterium de Ingolisma Archidiaconum Bathon. homines, terras, res, redditus & omnes possessiones suas. Et ideo vobis mandamus quod ipsum Iterium, homines, terras, res, redditus, & omnes possessiones suas manuteneatis, protegatis, & defendatis. Non inferentes eis vel inferri permitrentes injuriam, molestim, dampnum aut gravamen. Et si quid eis forisfactum fuerit, id, eis sine dilatione faciat emendari. In cujus rei testimonium has literas nostras fieri fecimus patentes usq; ad festum omnium sanctorum proximo futurum duraturas. Nolumus autem sed firmiter inhibemus, ne de bladis seu aliis bonis & catallis ipsius Iterii ubicumq; consistant ad opus nostrum aut aliorum quorumcumq; sine licentiâ & voluntate ejusdem Iterii aliquid interim capiatis, seu capi faciat, quo minus de eisdem bladis, bonis, & catallis suis liberè disponente & ordinare, ac commodum suum facere possit, prout sibi melius viderit expedire. Teste Rege apud Langeley decimo octavo die Februarii.

N. 20.
Pat. 25. Ed. 1.
Part. 2. M. 15.
de protectione
Clericorum.

Consimiles literas de protectione habent subscripti, videlicet.

Johannes de Meringham.
Lambertus de Trikingham.
Magister Johannes de Lac.
Radulphus de Staunford, Capellanus.
Johannes de Drokensford.
Henricus de Lem.
Robertus de Walmesford.
Thomas de Hoyuill, Clericus.
Robertus de Scardeburg.
Ricardus de Rossen.
Willielmus de Burnton.
Magister Edmundus de London.
Magister Thomas de Sodinton.
Magister Adam de Aamodesham.
Henricus de Gudeford, Clericus.
Elias de Bekingham.
Magister Thomas de Hale, Clericus.
Hemfr. de Waleden.
Henricus de Lichefeld.
Nicolaus Tutwyn de Lonsby.
David le Graunt.
Henricus de Stanton.
Magister Thomas de Lichefeld.
Magister Thomas de Abberbiry.
Will. Bathon, & Wellen, Episcopus.
Will. de la Dune.
Nicolaus de Bolyngbrok.
Will. de Felfede.
Nicolaus de Miferton, Clericus.
Johannes de Berwyk.
Adam de Osgodby.
Will. de Langele.
Henricus de Dunolm.
Prior de Wymondham.
Radulphus de Alegate.
Magister Robert. de Sancto Albano.
Nicolaus de Miferton.
Robertus de Middleton.
Ricardus de Kelson.
Hugo de Hengham.
Andreas de Kenelbolton.
Johannes de Stafford.
Robertus de Acte, Clericus.
Henricus de Skenholt.
Adam de Waldingfeld.
Johannes de Cerisey, Clericus.
Magister Petrus Aimerici, Parsona
Ecclesie de Pecbam.
Magister Guido de Tillebrok, Cleric.
Johannes Episcopus Wynton.
Philippus de Wilughby.

Will. de Burn, Clericus.
Egidius de Barenton.
Magister Thomas de Erlee.
Ricard. le Hoftage de Loutheburg.
Galfr. de Norwico, Clericus.
Ricardus de Meriton, Clericus.
Andoemus de Monte Gomeri.
Johannes Skip de London.
Robertus de Bardelby.
Henricus de Thurston.
Magister Reginaldus de Braunton.
Raulphus de Rimnale.
Petrus de Lyndeseye.
Richar. Bernard de Hunnewyk.
Johannes filius Johannes de Arderne.
Et idem Reginaldus habet aliam
protectionem pro nomine suo so-
lum.
Bartholomeus de Florentino.
Magister Jacobus Sinebaud.
Priorissa de Halwell.
Will. de Carvil.
Magister Radulphus de Juyngho.
Gilbertus de Robiry.
Walterus de Wengham.
Johannes Baldok.
Magister Thomas de Abberbury.
Will. de Norwico.
Thomas de Basung, Clericus.
Robertus de Heriere.
Galfridus de Farham.
Simon de Farham.
Priorissa Sancte Helene London.
Rogerus de Skermynger, Clericus.
Johannes de Silverston.
Magister Walterus de Downbrigg.
Egidius de Audenardo.
Magister Andreas de Farentino.
Magister Will. de Essex, Clericus.
Magister Thomas de Skerunge, Cler.
Thomas de Lavenham.
Walterus de Leycestr.
Rogerus de Leycestr. Clericus.
Magister Simon, Parsona Ecclesie de
Heyford Waryn.
Henricus de Hales.
Walterus de Felfede, Clericus.
Will. de Byrlay.
Will. de Troubragg, Clericus.
Hugo de Notingham, Clericus.
Magister Henr. de Bray, Clericus.
Magister

Magister Petrus de Dene.
Simon de Wovecoto, Clericus.
Hugo de Roubury, Clericus.
Willielmus Eliensis Episcopus.
Johannes de Kirkby, Parsona Ecclesie
de Northmimmes.
Robertus de Mar.
Robertus de Corneberth.
Johannes de Wengham, Precentor
Ecclesie Sancti Pauli London.
Magister Johannes de Sancto Claro.
Wil. de Perjoure.
Henricus de Rolling.
Henricus de Fodringey.
Johannes de Reda.
Edmundus de Hoo.

Magister Ricardus de Gravefend,
Archid. London.
Walterus de Norwico.
Henricus de Baithorp, Clericus.
Nicolaus de Remyn, Clericus.
Nicolaus de Hatfeld, Clericus.
Johannes Chaynell.
Abbas de Hyda Wynton.
Nicolaus de Burton.
Nicolaus de Sparkford, Clericus.
Magister Edmundus de London, Par-
sona Ecclesie de Whitlisford.
Idem Edmundus Canonicus libere
Capelle Regis beate Marie in ca-
stro Regis Hastings.
Richardus de Bereford, Clericus.

REX Vicecomiti Westmerland, salutem. Licet tibi nuper prece-
perimus quod Laica feoda Archiepiscoporum, Episcoporum,
& totius Cleri in Balliva tua una cum bonis & catallis in eisdem in-
ventis in manum nostram caperes, & ea salvo custodires quousq;
aliud inde precepissemus. Quia tamen dilectos nobis in Christo Pri-
orem & Fratres Hospitalis Sancti Johannis Jerusalem in Anglia per lite-
ras nostras patentes duraturas usq; ad festum omnium Sanctorum pro-
ximo futurum suscepimus in protectionem & defensionem nostram speci-
alem, omnibus & singulis inhiibentes ne de equis vel aliis averiis suis,
carectis vel cariagio, seu bladis, lardario, aut aliis bonis vel rebus suis
quibuscumq; ubicumq; consistant ad opus nostrum aut aliorum,
quorumcumq; sine licentia & voluntate ipsorum Prioris & fratrum,
aliquid interim capiant, seu capi faciant, quo minus de eisdem equis,
& aliis averiis suis, carectis, cariagio, bladibus, lardario, & aliis bonis
& rebus suis libere disponere & ordinare, ac commodum suum fa-
cere possint, prout sibi melius viderint expedire. Tibi precepimus
quod Laica feoda ipsorum Prioris & fratrum in Balliva tua in manum
nostram pretextu mandati nostri predicti capta una cum bonis & cata-
lis in eisdem inventis eisdem Priori & fratribus sine diminutione aliqua
restituens, nichil de equis, vel aliis averiis, carectis, cariagio, bladibus,
lardario, aut aliis bonis, seu rebus suis predictis capias, seu capi facias
contra tenorem protectionis nostre predictae. Teste rege apud Ambres-
bury, vicesimo quinto die Februarii.

*Consimiles literas habent iidem Prior & fratres singulis Vicecomitibus
per Angliam. Teste ut supra.*

EDWARD par la Grace Dieu, &c. a Monsieur Adam de Weller,
& au Viscunte de Nichole, saluz. Come nad gueres vers aucuns
Clerks de seinte Eglise de nostre Roiaume demorantz en nostre pro-
tection e en nostre defense, qui du tot resuserent a faire aide a la de-
fense de tot le Reaume e de Leglise dengleterre, eussoms conceue pas
sauwz deferte rancour e indignacion. Nous ja seit ce quil cent este
meyns remembrantz, e meyns conizantz les perils que porroient ave-
nir a tot le Reaume e a Leglise dengleterre e a eus meismes aulint
par

N. 21.
Pro Priore Ho-
spital. Sancti
Johannis Jerus.
in Anglia.
Claus. 25. Ed.
1. M. 22.

N. 22.
Part. 25. Ed. 1.
Part 1. M. 12.
De Recogniti-
onibus a Pre-
latis & aliis
Personis Eccle-
siasticis recipiend.

par lur defaute lur voillantz faire especiale Grace a ceste foiz tot nel eussent il deervie, Avoms assigne vous *ambedeux*, ou le un de vous, si ambedeux ne pussiez estre ensemble a receyure en nostre noun *reconissance* de Prelatz e dautres *Persones* de seinte Eglise qui quil soient en le Conte avantdit folouc lur richesses qui vodrount aver nostre protection en la furme que vous est bailee & enjoynte de par nous, e a certifier nostre *Chancelier* des nouns de ceus qui teus reconissances averont faites e a certifier ausint le *Tresorier* & les *Barons* de nostre *Eschequier* de tieux reconissances eussint receues. Issint ne por quant que tieux maneres de reconissances soient faites entre cy ce la Pasque procheinement avenir e ne mye outre. E pur ceo vous mandoms que les avantdites choses faces en la forme desuldite. En tesmoignance de que chose nous avoms fait faire cestes nos Littres overtes a durer par le tenz avantdit. Don a Clarendon le premer jour de Marz, lan de nostre Regne vintyme quint.

De promulgantibus Sententias & Excommunicacionibus in Ministeris Regis capiendis & imprisonandis.

Edward, &c. A Monsieur *Adam* de Welles e au *Viscount* de Nicole, saluz. Nous aparecevantz que *trouveurs* de nouvelles par les queux *descord* purreit surdre entre nous, nos *Prelatz*, nos *Contes*, nos *Barons*, & nos autres *grantz gentz*, lassorent a la subversion de nostre Roiaume e a la destourbaunce de nostre pees nient meyns que ceux qui lassorent dassailler nous e nostre Roiaume par mortele enemiste e par force darmes. Ne voillantz teu manere de malice passer sanz estre restance, *Assignons* vous pur enquere e serchier en totes les maneres que vous peussiez plus diligeaument queux *messesseurs* e *disturbours* de nostre pees *conteront nouvelles* & destraxions en la fourme avantdite ou qui desturberont ou voderont ou procuront desturber lexecucion de nos maundementz, ou qui durront *sentences* de *escarnage* ou feront *monicions* ou les *sentences* donees ou *monicions* faites priveement ou apartement *pronuncieront* ou voderont *publier* contre nos *Ministres* e nos *sugges* ou, contre queux autres quil soient aerdantz a nous e a nostre foi qui seront execution de nos maundementz pur le profit de nostre Roiaume, ou contre *persones* de seynthe eglise qui se mettent en nostre protection pur sauver e defendre eux e lur Eglises, ou qui seront rien ou voudront faire par art ou par engyn, par quey la paisiblete de la pees e du Roiaume soit desturbee e lexecucion de nos maundementz qui nous eoms commaundeant pur le pru du Roiaume e de tot nostre poeple soit rerie ou empeschie en nule manere. E pur ceo vous *maundoms* que touz ceux de quel estat ou condicion quil soient, qui des choses avantdites ou daunces de eles trociez *copables*, preignent e en nostre prison sauvement gardez taunt que vous eneez autre maundement de nous. E voloms que si vous ambedeux ny peussiez entendre adonk lautre de vous qui ferra plus pres des parties ou nules des choses avantdites avendront face reddement e sanz delay lexecucion de cestes bosoignes en la fourme avantdite.

E fcar a remembre que les *Chivalers*, e les *Viscontes* de souz escriptz sont assignez en auteuz fourmes de suis escriptes en les *Contees* de souz, escriptz, cest asavoir.

Aleyn Plokenet e le *Viscount* de Sumers e de Dors en memes les *Counteez*.

Bueges de Knouil e le *Viscount* de Salopshire e de Stafford en memes les *Counteez*.

Johan

Johan Tregoz e le *Viscount* de Hereford en meme la *Countee*.
Thomas de Berkelee e les *Viscontes* de Glouc. & Wyncestr. en memes les *Counteez*.

Johan de Segrave e le *Viscount* de Warr. e de Leyc. en memes les *Counteez*.

Robert Fitz Pain e le *Viscount* de Wilteshire en meme la *Countee*.
Rauf Pipard e le *Viscount* de Bedf. & de Buk. en memes les *Counteez*.

Johan Lovel e le *Viscount* de Oxenford e de Berk en memes les *Counteez*.

Thomas de Furnival e le *Viscount* de Derb. en meme la *Countee*.
Johan de Bretun e le *Viscount* Middlesex en meme la *Countee*.

Robert de Tateshale e le *Viscount* de Norff. & Suff. en memes les *Counteez*.

Johan Engayne e le *Viscount* de Northt. e de Rotel. en memes les *Counteez*.

Henr. Tregoz e le *Viscount* de Surr. e de Suffex en memes les *Counteez*.
Robert Fitz Roger e le *Viscount* de Essex e de Hertf. en memes les *Counteez*.

Reynald de Argentem e le *Viscount* de Cantabr. e de Hunt. en memes les *Counteez*.

William de Leyburne e le *Viscount* de Kent en meme le *Countee*.
Henr. Tieys e le *Viscount* de South. en meme la *Countee*.

Geffrey de Cammill e les *Viscontes* de Cornewayll e Deveneshire en memes les *Counteez*.

Johan de Lancastr. e le *Viscount* de Lancastr. en meme la *Countee*.
Reynard de Grey en la *Countee* de Cestr. oue les quatre Cantredz.

Johan de Havering en Norwales.
Williame de Brehusle e Wauter de Pederton en Westwales.

Fet a remembrer que les avantditz *Chivalers* e *Viscontes* frount le choses sus escriptes solome les articles que sensivent.

Ordene est que les *Baneretz* e les *Viscountes* qui sont a ceo assignez en les *Counteez* preignent plegges des gentz lays tieux que soient suffisantz pur les sones reconues. E que les *Clerks* qui plegges lays ne poent trouer Baillent en le poer le *Viscount* de lur chateus taunt com le graunt quil frount amontera jekes a taunt quil cent paieiz.

E fait la chose demandee e prise en ceste fourme pur la defense de eus memes e de lur Eglises e pur le commun profit du Reaume e par la protection aver, cest asaver de chescun *Prelat* ou *parson* de *Eglise* ou *Clerk* beneficie, al amuntaunce du double del *eyde* que chascun fist darrein au Roi, pur taunt que la busoigne est ore dafiez greignure que adonk ne fu.

E facent les *Baneretz* e les *Viscontes* enrouler les sommes reconues e chescunyn noun e les nouns de plegges ou de la seurte que ferra prise issint que cel roule soit livre al *Eschequier* pur les deners fere lever.

E facent les *Baneretz* e les *Viscontes* a chescun *Clerk* qui avera reconu en la fourme avantdite, bille, seale de lur seaus au *Channecler* pur la protection le Roi aver, e pur les autres briefs qui lour covendront.

R E X

REX Coronatoribus suis in Comitatu Surr. salutem. Mittimus vobis duo paria literarum nostrarum patentium una cum forma presentibus interclusa & tradenda **Pent. Gregoz & Vicecomiti** nostro Surr. & Suffex vobis mandantes quod predictas literas una cum forma predicta eisdem **Pentrico & Vicecomiti** vice nostra tradatis & juramentum ab eis recipiatis quod ea ad que per nos assignantur per eandem literas secundum dictam formam fideliter facient & complebunt. Teste ut supra.

Consimiles litere diriguntur Coronatoribus in Comitatus subscriptis quod in forma subscripta juramentum recipiant, &c. ut supra, videlicet.

Coronatoribus in Comitatu Derb. quod a **Tho. de Furnival** & Vicecom. Derb. juramentum recipiant, &c.

Coronatoribus in Comitatu Northampton. quod a **Johanne Engayne**, & Vic. Northampt. & Rotel. &c.

Coronatoribus in Comitatu Essex quod a **Roberto filio Rogeri**, & Vic. Essex & Hertford, &c.

Coronatoribus in Com. Middlesex quod a **Johanne le Bretun**, & Vic. ejusdem Comitatus, &c.

Coronatoribus in Comitatu Kantie quod a **Willielmo de Leyburn**, & Vicecomite, &c.

Coronatoribus in Comitatu Lancastr. quod a **Johanne de Lancastr.** & Vicecomite, &c.

AU noble Peer discret *Chanceler* nostre Seignur le Roi, ou a son Lieutenant le seon **Gilbert de Knobil** Viscount de Devon si luy plect, saluz. E quant quil poet e fer de Reverence e donur sachez sire que le **Abbe** de seint **Dognael** pur les Procuraturs **Robert** de la Pitte, e **William** de **Culecumb** vint a moi le primer jour de Averill, e ad graunt a nostre Seignur le Roi le double del eyde que il fist derreinement pur le defense de luy memes e de les Eglises e pur le commun profit du Royaume e pur le protection averre de ceo ma il trovee mainpennour. En testimoniaunce de queu chose jeo mis Envoy cest ma lettre patent e close.

A Sire **Johan de Langeton** Chanceler, nostre Seignur le Roi, **Johan de Seigrade**, e le Viscount de Warwick e Leye. saluz. Sachez nus aver recia Mestre **Robert de Craft**, persone de Bedeworth, e de **Eplmerthorpe** a la protection nostre Seignur le Roi. En temoigne de quele chose nus vos Enviomus ceste Bill enlele de nostre Seil.

William de **Plympton** persone de West Bedesford devant. Seir **Aleyn** de **Plokenet**, e le Viscount de Somerset, ad fet fine de 8 s. ke est a Double de la Dyme solom la Reconissance pur la protection le Roi aver e pur la defense de luy e sa Eglise e pur le commun pru du Reaume plegg de lafin Thomas de **Kyngdammere**, e **Adam Wincen** lays. En temonaunce de ceste chose l'avandit Seir **Aleyn** ad mis sun Seel a ceste Bylle.

Venerandæ discretionis viro **Domino J. de Langeton** Domini Regis Cancellario, **Adam** de **Welle** & **R. le Cener** Vic. Linc. ad recognitio nes cleri in Com. Linc. accipiendus Deputati, salutem. Sciatis quod **Willielmus** de **Bumpton** finem fecit cum Domino Rege pro protectione habenda, & laico feodo rehabendo & hoc vobis significamus.

A Sire **Johan** de **Langeton** Chanceler nostre Seignour le Roy, **Pent. de Chiffelden** Viscount de **Oxford**, saluz. Cum nageres ke **William Vikere** del Eglise de **Wyteneye** vint devant moy a **Oxford** a la soy nostre Seignour le Roy e sa fin fist pur dise set souz e quatre deners, ki est a la double de la Dyme, de la Vicarie a ce que il dit. Jeo a memes cely **William** ceste Bille ay done pur la protection nostre Seignour le Roy aver, selee de mon Seal. Donec a **Oxford** le 12 jour de Mars le an du Reign le Roy **Edward** vintyme quint.

EDward par la Grace de Dieu Roy D'engleterre, &c. As honorables Peeres en Dieu **Erceveqz**, **Eveqz**, & as autres Prelatz, & a touz ceus de la Clergie qui a ceste demy quaresme prochain avenir ferraient a **Londres** assemblez, saluz. Nous defendoms a vous touz & a cheacun de vous, sur quanq; vous nous peussiez forsaire que vous ne nul de vous nules choses ne ordenez, ne faciez, nassentez a nul ordeynement a la dite assemblee que peussent tourner a prejudice ou a grevance de nous, ou de nul de nos Ministres, ou de ceus qui sont a nostre pees & a nostre foy & en nostre protection, ou de nos adherantz ou a nul de eux. Donces a **Sturmenistum** le 21 jour de Marz.

REX Vicecomiti Devon. salutem. Precipimus tibi quod **Capellanos** illos quos nuper pro publicatione cujusdam sententie & aliis transgressionibus contra nos & Coronam nostram per ipsos factis, ut dicitur, cepisti & in prisona nostra detines, sine dilatione aliqua deliberes, ab eadem recepta prius securitate ab eisdem de emendis nobis faciendis pro transgressionibus predictis, si que fuerint cum inde loqui vulerimus versus ipsos, secundum quod tibi injunximus plenius oretenus. Teste Rege apud **Plympton** undecimo die Aprilis.

REX Vicecomiti Cornubie, salutem. Precipimus tibi quod si dilectus nobis in Christo **Willielmus** de **Bozdragan**, Archidiaconus Cornubie, velit manucapere coram te de habendo Magistrum **Clement** de **Rupe**, Magistrum **Radulphum** de **Treredemek**, **Willielmum** Vicarium Ecclesie de **Sancta Sevara**, Magistrum **Marsilium**, **Johannem** Vicarium Sancti Pauli, **Reginaldum** Vicarium de **Sancta Crewenna**, **David** Capellanum Ecclesie Sancte **Beriane**, **Radulphum** Capellanum Ecclesie Sancti **Wineri**, **Ricardum** Vicarium Ecclesie de **Launantha**, **Johannem** le **Petit** Parsonam Ecclesie Sancti **Melani**, **Ricardum** Vicarium de **Morwinstowe**, **Petrum** Capellanum de **Kylkampton**, **Robertum** Vicarium Ecclesie de **Stratton**, **Sampsonem** Vicarium Ecclesie de **Pokkewille**, **Philippum** Vicarium Ecclesie de **Launceles**, **Robertum** Capellanum de **Marwinchurche**, **Ricardum** Capellanum de **Wike**, **Willielmum** Capellanum de **Jacobstowe**, **Thomam** Capellanum de **Wytelston**, **Ricardum** Capellanum de **Tamerton**, **Paganum** Capellanum de **Boyton**, Magistrum **Ricardum** de **Toliford**, **Simonem** Capellanum de **Eglofros**, **Nicolaum** Vicarium Ecclesie de **Sancto Austolo**, **Johannem** Vicarium Ecclesie de **Sancto Claro**, **Philippum** Vicarium Ecclesie de **Sancto Winoco**, **Gilbertum** Vicarium Ecclesie de **Dinloo**, **Reginaldum** Capellanum de **Laurecython**, **Willielmum** Glife Capellanum de **Autone**, **Johannem** Capellanum de **Esse**, **Johannem** **Olivere** Capellanum de **Sancta Dominica**, **Vincentium** Capellanum de **Suthylle**, **Ricardum** Vicarium Ecclesie de **Sancto David**, & **Willielmum** Vicarium Ecclesie de **Sancto Geo-**

N. 22.
Pat. 25. Ed. 1.
P. 1. M. 9. De
senso Regis
ne Prelati ali-
quid ordinem
in prejudicium
regis.

N. 24.
Claus. 25. Ed.
1. M. 19. De
capellanis de-
liberandis a
prisona.

N. 25.
Cl. 25. Ed. 1.
M. 18. De Cle-
ricis liberan-
a prisona per
Manuptionem.

nasio, captos & detentos in prisoa noſtra de Launceſton pro publica-
tione cujuſdam *liere Papalis*, ut dicitur, coram nobis ad voluntatem
noſtram pro emendis de transgreſſionibus, ſi quas contra nos fecerint
in hac parte nobis faciend. tunc ipſos *Reſtores, Vicarios, Preſbyteros,*
& *Clericos*, a prisoa prædicta, ſi ea occasione & non alia detineantur
in eadem ſine dilatione facias deliberari per manucaptionem prædictam.
Et hoc pro alio brevi noſtro de manucaptione ab ipſis prius pro facto
illo capiend. tibi directo, nullatenus omittas. Teſte Rege apud Plym-
pton decimo ſeptimo die Aprilis.

N. 26.
Cl. 15. Ed. 1.
M. 18. De Ser-
vito & Navib.
de Haſt. &c.

REX dilectis & fidelibus ſuis *Baronibus & probis hominibus* portus
ſui de *Haſtings*, ſalutem. Propter aliqua arduiſſima negocia, nos
& vos & omnes alios fideles noſtros de noſtro regno tangentia hiis
diebus: Vobis mandamus in fide quâ nobis tenemini firmiter injun-
gentes quod *totum ſervitium* quod nobis *debetur* de vobis & de navi-
bus portus veſtri prædicti habeatis coram nobis apud *Wincheſe* in
caſtino Sancti Johannis Baptiſte proximo futuro *promptum & paratum*
& bene *munitum* ad eundem ubi tunc precipiemus. Ita quod pro de-
fectu ſervitii veſtri prædicti diſta negotia nullatenus retardentur. Ce-
terum vos rogamus mandantes quod preter ſervitium veſtrum præ-
dictum, omnes alias naves de portu veſtro prædicto tam *quadrageſima*
dolia vini, quam *quadrageſima dolia*, & ſupra portantes coram no-
bis ad prædictos diem & locum venire faciatis promptas & paratas &
bene munitas ad eundem cum aliis navibus veſtris in noſtrum ſervitium
ut prædictum eſt. Volumus autem & concedimus quod adventus iſta-
rum navium ultra ſervitium veſtrum prædictum tunc ibidem trahi
non poſſit in conſequentiâ in futurum. Intentionis noſtre ſiquidem
non exiſtit. Teſte Rege apud Plympton viceſimo ſeptimo die Aprilis.

Conſimiles literæ diriguntur Baronibus & probis hominibus portuum
ſubſcriptorum, videlicet.

Baronibus & probis hominibus de Faversham.
Baronibus & probis hominibus de Sandwico.
Baronibus & probis hominibus de Herthe.
Baronibus & probis hominibus de Wincheſe.
Baronibus & probis hominibus de Haſtings.
Baronibus & probis hominibus de Romenhale.
Baronibus & probis hominibus de Dovorr.
Baronibus & probis hominibus de Rye.

N. 27.
Cl. 15. Ed. 1.
M. 15. cedula
Dorſ. De Sum-
monitione co-
rum qui ha-
bent 20 libra-
tas per annum.

REX Vicecomiti Eborum, ſalutem. Cum pro dampnis & peri-
culis que nobis & toti regni noſtro per inſidias inimicorum no-
ſtrorum evenire poſſent cautius præcavendis nuper tibi præcepimus
quod ſcire faceres omnibus illis de balliva tua infra libertates & extra
qui habent viginti libratas terre & redditus per annum, & illis ſimi-
liter qui plus habent, videlicet tam illis qui non tenent de nobis in
capite, vel de quocumq; tenent, ut de equis & armis ſibi provident
& ſe prepararent indilate. Ita quod ſic eſſent prompti & parati ad
veniendum ad nos & eundem cum propria perſona noſtra pro ſal-
vatione & deſenſione ipſorum & totius regni noſtri quandocumq; pro
ipſis mandarem, ac nos paſſagium noſtrum ad partes tranſmarinas
pro ſalvatione hujusmodi jam duxerimus ſtatuentum. Tibi precipi-
mus

mus in fide qua nobis teneris firmiter injungentes quod omnes & ſin-
gulos de Balliva tua tam infra libertates quam extra, viginti libratas
terre & redditus & amplius habentes ut prædictum eſt de quocumq;
teneant, ſine dilatione roges ex parte noſtra & requiras, firmiterque
injungas eiſdem quod ſint ad nos ad *Londonium* die Dominica proximo
poſt Octabas Sancti Johannis Baptiſte, proximo futuras cum equis
& armis, videlicet, quilibet eorum prout ſtatum ſuum decuerit, parati
transfretare cum corpore noſtro ad partes prædictas, ad Dei, noſtri
& ipſorum honorem, pro ſalvatione & communi utilitate diſti regni.
Et ita te habeas in hoc mandato noſtro celeriter exequendo, ne ſi
contingat, quod abſit, tranſfretationem noſtram per defectum tuum
impediri, ad te graviter capere debeamus. Teſte rege apud Londres
quintodecimo die Maii.

Conſimiles literæ diriguntur ſingulis Vicecomitibus Angliæ, & Reginaldo
Grey Juſticiario Ceſtriæ.

REX Vicecomiti Lincoln. ſalutem. Cum nuper tibi præceperi-
mus quod omnes & ſingulos de Balliva tua infra libertates &
extra, tam illos qui *viginti libratas terre & redditus per annum habent*,
quam illos ſimiliter qui plus habent, de quocumq; teneant, ſine dila-
tione rogares & ſpecialiter requireres ex parte noſtra firmiterq; injun-
geres eiſdem quod eſſent ad nos *Londoni* die Dominica proxima poſt
Octabas Sancti Johannis Baptiſte proximo futuro, cum equis & armis,
videlicet quilibet, eorum prout decuerit ſtatum ſuum parati tranſfre-
tare cum corpore noſtro ad partes tranſmarinas ad Dei, noſtri & ig-
ſorum honorem ut ſperamus & pro ſalvatione & communi utilitate
regni noſtri. Tibi precipimus firmiter injungentes quod mandato no-
ſtro prædicto diligenter & celeriter excecuto, nos de nominibus omnium
illorum de Ballivâ tuâ quos ſic rogaveris ad diſtam diem Dominicam
diſtincte & aperte ſub ſigillo, tuo certiores reddere non omittas. Teſte
rege apud Portſemouth viceſimo quarto die Maii.

Conſimiles literæ diriguntur Reginaldo de Grey Juſticiario Ceſtriæ, &
ſingulis Vicecomitibus per Angliam.

REX Vicecomiti Kantiz, ſalutem. Licet tibi nuper præceperimus
quod omnia *laica ſeoda* Archiepiſcoporum, Episcoporum, & totius
Cleri de Ballivâ tua una cum bonis & catallis in eiſdem inventis ſine
dilatione caperes in manum noſtram & ea ſalvo custodiſes donec aliud
inde præcepiſſemus. Volentes tamen ad iſtantiem requeſitionem Præ-
latorum Cantuarienſis Provinciæ venerabili Patri *R. Cantuar. Ar-*
chiepiſcopo, totius Angliæ *Primate*, gratiam facere ſpecialem: Tibi
præcipimus quod eidem *Archiepiſcopo omnia laica ſeoda ſua*, una cum
bobus, carucis & omnibus aliis bonis & catallis ſuis in eiſdem exiſtentibus,
quæ prætextu mandati noſtri prædicti in manum noſtram cepiſti
in eo ſtatu quo nunc ſunt reſtitui facias indilate. Teſte rege apud
Weſtm. undecimo die Julii.

Conſimiles literæ diriguntur Vicecomiti Surr. Suffex. Midd. & Eſſex.

C 2

R E X

N. 28.
Cl. 15. Ed. 1.
M. 16. Dorſ.
Decertificand.
Regi de nom.
habent viginti
libratis Terræ
& redditus.

N. 29.
Clauſ. 25. Ed.
1. M. 21. Pro
Conſuar. Arch.
de Laiciſſeod.
reſtituendis.

N. 30.
Clauf. 25. Ed.
1. M. 9. Dorf.
pro clero pro-
tectionem
Regis non ha-
bente.

REX Vicecomitibus London. salutem. Licet aliqui de Clero qui sunt infra Ballivam vestram protectionem nostram forsan non habuerunt tempore retroacto, ad instantiam tamen & rogatum venerabilium Patrum R. Archiepiscopi Cantuar. & aliorum Episcoporum & Prelatorum regni nostri nobis pro eodem Clero supplicantium. Volentes Clerum eundem ab omni molestia & inquietantia indebita videlicet protegi & defendi. Vobis mandamus quod omnes & singules, de Clero predicto, homines, terras, res, redditus & omnes possessiones eorundem in Ballivâ vestrâ deinceps manuteneatis, protegatis, & defendatis, non permitentes quantum in vobis est, quod Prelato Clero aut eorum alicui in personis & rebus inferatur injuria, dampnum, molestia, vel gravamen, non obstante quod aliqui de Clero predicto protectionem nostram non habuerunt, sicut predictum est. Teste rege apud Sanctum Paulum London. tricesimo primo die Julii.

N. 31.
Pat. 25. Ed. 1.
P. 2 M. 7.

PUR ceo que le Roy desire tutz jours la pees & la quiete e la bon estar de tutes les gentz de sun Reaume e nometment que apres sun passage quil ly ore fayre al honur de deu e pur recovrer sun dreit heritage dunt il est par graunt fraude deceu par le Roy de France, e pur le honur e le commun profit de sun Reaume tutes encheifours par queles la dite pees ou quiete pussent estre en nul manere troublez, soient du tut otes acunes gentz purroient dire & fere entendre au Puple aucunes paroles noun verrois des queles le mesme Puple purroit estre mu de eux porter ensurs lur seyn. liege autrement que fair ne dussent come endroit de coe, que le Count de Hereford, e le Counte Marechal, se aloyngerent nad guers de lui, ou endroit de autres choses lui Rois sur ceo e sur lestât de lui e de sun Reaume e comment les busoignes du Reaume sunt alees ja une piece, fait afaire & voet que tuz ensachent la verite la quele senfeut. Nad guers quant graunt partie de gentz darmes D'engleterre les uns par priere, les autres par somon du Roy vindrent a Londres, le Roi voillaunt purvee a la delivraunce de mesme les gentz, e alleviance de lur despens e de lur deseres: Maunda au ditz Counteez come a Conestable e Marechal D'engleterre quil venissent a lui a certain jour pur ordiner la delivraunce des dites gentz, au queu jour le dite Conte de Hereford e Monsieur Johan de Segrave qui escusa le Conte Marechal par maladie vindrent au Roi, e en leur presence e par lur assent fust ordine quil feissent crier parmy la Cite de Londres que tutes les gentz que estoient illoques venuz par somons ou par priere feussent lendemain a seynt Poul devant les ditz Conestable e Marechal pur favoir e metere en remembraunce coment e de cumbien chescun de eux voleit servir ou eyder le Roi en cest voyage de la outre, e lur dist le Roi que selon la dite ordinaunce la quele lur fust bayle en escrit il feussent faire la dite crie. Et eux receu le dit comandement e la dite bille sen alerent, puis mesme le jour a la nuyt les dites Contes enveyerent au Roi par Monsieur Johan Elurmi Chivaler, une bille escrit en ceste forme. Pur ceo chier sire que vous mandastes au Marechal par le Conestable e par une bille quil feist crier parmy la Cite de Londres que tuz iceux que sunt venuz par vostre somounie ou par priere fussent demayn devant eux a seint Poul a hour de prime e quil feussent metere en roule combien des chivaus des uns e des autres e coe vous faissent afaire. Vous prient vostre Conestable e vostre Marechal que ceste chose voussiez comander

maunder a autre de vostre Hostel. Et pur ceo sire que vous bien savez que eux sunt cy venuz par vostre priere e ne mye par somonse, sil ceo faissent il entroient en lur office pur service fere, par quay il vous prient que vous les voillez comander a autre. Et le Roi receu la dite bille e en conseyl sur ceo, pur ceo quil lui semble quil avoient meyns avissement maunde e ne volayt mye quil entassent suspris enveye a eux Monsieur Geoffrey de Geneville, Monf. Thomas de Berkeley, Monf. Johan Tregoz, le Conestable de la Tur, le Gardeyn de Londres, Monf. Roger Brabazon, e Monf. Willame de Beresford, pur eux meuz aviser sur ceo e quil purvissent en teu manere quil ne feissent chose que peust turner en prejudice du Roi ne de lur estat demeyne, e si autrement ne se voussient aviser que lors lur fust demande sil avoueynt la dite bille & les paroies illoques contenues les queles il avouerent tut outre. Et quant ceste avueument fust reportee au Roi il en sur ceo conseil mist en lu du Conte de Hereford Conestable, Monf. Thomas de Berkeley, e en lu du Conte Marechal, Monf. Geoffrey de Geneville pur ceo que les ditz Contes aveynt requis que le Roy comandaist a autres si com il est contenu en la dite bille e sur ceo senaloyngerent les Contes du Roy e de sa Curt. E tost apres ceo le Conestable de Caunterbur. e plusieurs Evokes D'engleterre vindrent au Roy e lui prierent quil peussent parler as ditz Contes e le Roy lur granta, par quay le dit Conestable & les autres Prelatz, prierent as ditz Contes quil lur faissent afaire ou il lur pleroit devenir pur parler a eux, e les Contes remaunderent par lur lettres quil seroient a Walsham le vendredi Lendemain de la feste de Seint Jak, au queu jour les ditz Conestable & Evokes vindrent a Walsham e les ditz Contes ne vindrent mye, mes enveyerent illoques Monf. Robert le fiz Roger, e Monf. Johan de Segrave Chevalers, que distrent de par les Contes, quil ny purroient venir adunk par aucuns resuns. E pus a la priere des ditz Prelatz e des ditz Chivalers qui vindrent au Roi a Seint Auban le dimayng procheinement, suant le Roy granta saut conduct as ditz Contes e enbaylla ses lettres a ditz Chevalers contenantz fussent terme denz le quel les ditz Contes peussent saivement e fuz sun conduyt venir au Roi & demorer e retourner e ovesques celes lettres se departirent les ditz Chevalers du Roy a cele foiz mes unques puis les Contes au Roy ne vindrent, ne enveyerent, ne uncore, ne venent, ne caueyent que le Roi sache; ore puit estre que acunes gentz unt seit entendaunt au pueple que les Contes mustrent au Roy certains articles pur le commun profit du pueple e du Reaume e que le Roy les deveit aver refuse e escundir tut outre, de quy le Roy ne seit reiens, kar riens ne lui mustrent nene firent mustrer, nene seit pur quy il se retrestrent. Eynx entendi de jour en jour quil venissent a lui. Entre les queux articles contenu est a coe que hom dist de acunes grevances, que le Roy ad fait en son Reaume les queles il coneyt bien com des eydes quil ad demande soventetez de ses gentz la quele chose lui ad convenu fere par encheifon des guerres, qui lui unt este meues en Gascoyne, en Cales, e en Escocce & aylurs des queles il ne poeyt lui ne son Reaume defendre saunz eyde de ses bones gentz, dunt il lui poeyt mult, quil les ad taunt grevez & taunt travaille, e leur prie quil lui envoyllent avoir pur excuse, com celui que ad les choses mises ne mye pur achater terres ne tenementz, ne chasteus, ne viles, mes pur defendre lui e eux meismes e tut le Reaume.

Et si Dieu lui doynt james retourner du voyage quil fait coc il voet bien que siz sachent quil ad volente e graunt desir del amender bone ment a la volente de Dieu e au gre de son pueple tauntavant ou il devra.

devera. E sil avenist quil ne returnast mye il vyr ordener que son **veir** le fra ausi com sil meismes returnast de ceo que tera amender, que son car il seist bien que nul nest taunt tenez au Reaume nedeamer les bones gentz de saterre come il meismes. Dautre part puis quil ont enpris depasser le outre pur eyder le *Contes de Flandres*, qui est son alleez e nomenent pur metere en la bufoigne de lui e de son Reaume tele fin com Dieu vodra kar meuz vant de mettre syn in le bufoigne au plus tost que hom purra, que de languy ensi longement les *graunt Seigneurs*, qui nad guers furent a *Lundres* oue lui pur ceo que il virent bien quil ne poait nene puyt si graunt chose pursuier ne meyntenir du soin, e que le veyage est si hastif pur le graunt peril en quey les amys le Roy de dela sont, par les queux sil perdisent le Reaume purrayt chayr en graunt peril apres qui Dieu defende. E pur avec le *conferment* de le *graunt Chartre des Fraunchises D'Engleterre* e de la *Chartre de la Forest*, le queu *conferment* le Roys leur ad graunte bonement, si li *graunte* rent un *commun douw* tel com lui est mult bofoygnable en poyn de ore. Dunt il prie a tutes les bones gentz e a tut le pueple de son Reaume qui unques ne lai failerent que ceste doun ne leur envoie mye puyt quil veyent bien quil ne esparnye son cors, ne ceo que ils ad pur alegger eux e ly de graunte suffreytes quil unt souffert e suffrent uncote a graunt meschief de jour en autre e puyt quil seyvent ausint que la bufoigne est plus graunde quele ne estoit unques mes a nul jour. E pur ceo que par cest aler avendra si Dieu plest bone pees e pardurable par unt chescun, se deit meyns tenir agrevez de cest doun e par qui il purront estre le plus tost delivers des angusses e de travaux quil unt e unt en avant ceste houre. E si nuls feissent entendauntz avant le pays que le Roy eust refuse Articles ou autre chose contre le commun profit du Reaume pur son pueple honir e destrure, ou quel eust autrement overe envers les Contes que en la manere de fudite, il prie que hom ne luy creye mye. Kar ceo est le droit processe e outre la verite coment les choses sunt aler deskes a ore. E se avise chescun coment graunt descord ad este autre foiz en cest Reaume par iceles paroles entre le Seyng e ses gentz de une parte e dautre e les damages que ensunt avenuz. E si hom crust coe cestes autrement que eles ne sunt purroit avenir que ryote ensurdroit, la quele serroit plus perillouse e plus greve que nestoit unques mes nule en ceste terre. E sunt escumengez tuz iceux qui troblent la pees de ceste Reaume en quele manere, que ceo soit e tuz iceux qui as turbeurs en argent ou en chivaus ou en armes, ou autrement dounent ou sunt eyde ou favour privement ou apertement, de quelques condicion ou estat quil soient de la quele sentence descumenge, nuls ne puit estre asouz sanz especial comauement del *Apostol*, lorsqz en article de mort sicome pert par une bulle que le Roy ad du temps le *Pape Clement*, la quelle graunt partie les *Prelatz & des autres grauntz Seigneurs de ceste terre unt bien entenduz*. Par quey il est mestier que chescun sen gard. E prie le Roy tutes les bones gentz de son Reaume que pur ceo quil al honur de Dieu e de lui e de eux e du Reaume e pur par-durable pees e pur metere en bon estat son Reaume ad enpris cest *veyage* asere e il ad graunte asiaunce, que les bones priers de ses bones gentz lui purrunt multeyder e valer a metere ceste bufoigne a bon syn, quilz voillent prier e sere prier ententivement pur lui e pur ceux qui ovesk lui vient. En tesmoigne, &c. Donez a Odymere le xii jour de Aug. Au tele lettres sont envoiz a tous Viscontes de Engleterre.

REX

REX venerabili in Christo Patri R. eadem gratia Cantuar. Archiepiscopo totius Angliæ Primati, salutem. Cum nos inevitabili necessitate cogente pro Regni & Hæreditarii juris nostri per Regem Francie & alios inimicos nostros invasi & hostiliter impugnati defensione ac Ecclesie Anglicane & Personarum tam ecclesiasticarum quam aliarum ejusdem regni presidio & tutelâ de *bladis & aliis bonis* earumdem personarum, capi fecerimus & ad capiendum seu capi faciendum pro salvatione nostrâ & suâ dictiq; regni adhuc eadem necessitas nos compellat; de quibus *bladis & bonis volumus & firmiter proponimus satisfactionem ut res exegerit facere congruam & condignam*, & jam intellexerimus quod vos contra Ministros nostros, bladorum & bonorum prædictorum de mandato nostro captores intenditis quandam *Excommunicationis* sententiam fulminare vel ipsos Excommunicatos facere nunciari, quod si sic fieret in gravem & enormem dignitatis & coronæ nostre Regie lesionem, ac populi scandalum manifestè redundaret & nichilominus ex hoc ejusdem Ecclesie destructio & totius regni subversio verisimiliter sequi possit. Vobis prohibemus sub debito fidelitatis & juramenti quibus nobis tenemini ac forisfactura omnium que de nobis tenetis firmiter injungentes, ne in Ministros nostros Clericos aut Laicos, aliquam Excommunicationis Sententiam promulgetis seu etiam publicetis aut promulgari seu publicari aliquatenus occasione hujusmodi captionis faciatis, vel eisdem Ministris gravamen aliquod inferatis maxime cum *parati simus satisfacere ut est dictum*. Teste rege apud Winchelse decimo nono die Augusti.

Consimiles literæ diriguntur singulis Episcopis Angliæ. Teste ut supra.

REX venerabili in Christo Patri R. eadem gratia Cantuar. Archiepiscopo Angliæ totius primati, salutem. Quia super quibusdam arduis & urgentibus negotiis nos & vos ac totum regnum nostrum tangentibus, volumus quod *Edwardus* filius noster carissimus tenens locum nostrum in Anglia vobiscum *Colloquium* habeat & tractatum. Vobis mandamus in fide & dilectione quibus nobis tenemini firmiter injungentes quod in instanti crastino Sancti Michaelis London, ad eundem filium nostrum modis omnibus personaliter interitis cum eodem & ceteris de consilio nostro qui ibidem aderint super dictis negotiis tractaturi, & vestrum consilium impensuri. Et hoc sicut honorem Regis diligitis. Apud Sanctum Paulum London nono die Septembris.

Consimiles literæ diriguntur subscriptis, videlicet.

W. Bath. & Well.
O. Lincolnienſi
R. Herefordenſi
R. Norwicenſi
Roffenſi
S. Electo Sarum

Episcopis.

Abbati

N. 32.
Clauſ. 25. Ed.
1. M. 2. Dorſ.
Prohibitio Regis contra Excommunicat.

N. 33.
Clauſ. 25. Ed.
1. M. 6. Dorſ.

Abbati de Sancto Edmundo.
Abbati Sancti Augustini Cantuar.
Abbati de Walsbam.
Abbati de Sancto Albano.
Abbati Westmonasterij.
Abbati de Evesham.
Abbati de Burgo Sancti Petri.
Abbati de Abyndon.
Abbati de Ramsey.

Priori Sancti Suthini Wintoniens.
Priori Ecclesie Christi Cantuariens.
Priori Eliensi.
Priori Norwicens.
Priori Hospitalis Sancti Johannis
Jerusalem in Angliâ.

Magistro Militie Templi in Angliâ.
Johanni de Segrave.
Johanni Lovell.

Abbati de Thorney.
Abbati de Malmesbury.
Abbati de Cyrencester.
Abbati de Croyland.
Abbati de Bardeneay.
Abbati de Rading.
Abbati de Glasston.
Abbati de Gloucester:

Roberto filio Rogeri.
Roberto de Tateshale.
Fulconi filio Warini.
Edmundo de Mortuo Mari.
Alano la Zuscbe.
Nichelo de Segrave.
Rogerio le Bigod Comiti Norfolciens.
Humfrido de Bohun Comiti Herefordensi & Essexensi.

N. 34.
Rot. Stat. in
Turi Lond.
M. 12. 15. Ed. 1.

Edward par la Grace, &c. Sachies que come de par nos amez & feaux Humfrey de Bohun, Conte de Hereford & de Essex, & Ceneftable D'engleterre, & Roger Bygod, Conte de Norff. & Mareſchall D'engleterre nous ſeit ſer entendaunt quil ſe douterent que nous euſſions conceu vers eux rancour & indignation pur aucunes deſobeſances quil avoient fetes, ne ad geres, a ceo que hom diſoit i'en ce quil ne vindrent pas a nous a noſtre comandement, & a ce que hom diſoit quil avoient aucuns de nos Comandementz deſturbez & targez & aucunes aliances & assemblees des gentz darmes faites countre noſtre volente & deſſenſe; Nous regardantz que des choses avantditz nul maſſait neſt per eus ſui uncore, coment que paroles cent eſte dite a la request & priere eſpeciale de EDWARD noſtre chier ſuiz & noſtre Lieutenant en Engleterre, & des honourables peres Willame Eveſq; de Ely, Willame Eveſq; de Ba & de Welles, Richard Eveſq; de Londre, Wauter Eveſq; de Coventre & de Licheſ. & Henry Elit de Everwyke, & des nos ames & feaux Edmond Conte de Cornwaill, Johan de Garenne Conte de Surreye & de Suffex, Willame de Beauchamp, Conte de Warrewyke, & des autres de noſtre Conſeil demorantz en Engleterre pres de lavandit noſtre ſuiz releiffons & pardonons pleinement as ditz Contes, & a Johan de Ferrers, & a toutz leur menengs, & toutz leur aliez, tote manere de rancour & de indignation qui nous avoms conceu vers eus ſi nule enſoit per les encheſons avantdites ou nule de eles. Inſint que nul des dits Contes ne Johan de Ferrers, ne null de leur menenges, ne de leur aliez avantditz, ne ſoient chalenges, encheiſonez ne grevez par nous ne par nos heirs en null temps pur nule des choses avantdires. E auſi perdonons & releiffons a toutz autres de noſtre Roiaume qui furent ſomons ou priez de paſſer oveſq; nous, & ne paſſerent, totes maneres de rancour & de indignation, ſi nule euſſions conceu vers eus per cele encheſon. En teſmoignance des queux choses nous avoms fait fair ceſtes nos Lettres ovrces. Donces a Gaunt le quint jour de Novembre. L'an de noſtre Regne vintisme quint.

REX

REX dilectis & fidelibus ſuis Wilhelmo Inge, & Johanni de Coke ſeld, ſalutem. Cum nuper ante tranſtirationem noſtram in Flandriam habuerimus voluntatem & deſiderium gravamina populo regni noſtri nomine, noſtro facta, facere emendari & ſuper hoc mihi literas noſtras patentes, per Comitatus ſingulos dicti regni, Nos hujusmodi negotium effectui debito mancipari volentes aſſignavimus vos in Comitatus Lincoln, Roteland, Northampton, Norff. & Suff. una cum Clericis & religioſis quos locorum Dioceſani ad hoc duxerint deputandos ad inquirendam per Sacramentum proborum & legalium hominum de Comitatus predictis per quos rei veritas melius ſciri poterit: ſuper hujusmodi gravaminibus, veluti de rebus captis in Eccleſiis, necnon de lanis, pelibus, coriis, bladis, animalibus, carnibus, piſcibus, & omnimodis aliis rebus in Eccleſiis, & extra ſimiliter captis, & aſportatis per Comitatus predictos tam de Clericis quam de Laicis, ſive pro cuſtodiâ maris vel alio modo quocumq; poſt guerram inter nos & Regem Francie inchoatam, & ad ea omnia & ſingula audienda & terminanda, tam ex officio vobis per preſentes commiſſio, quam ad ſectam cujuſlibet conquiri ſe volentis & ad faciendum ulterius in premiſſis juxta formam ordinationis per nos & conſilium noſtrum inde facta, quam ſigillo noſtro vobis mittimus conſignatam, & prout de jure, & ſecundum legem & conſuetudinem regni noſtri fuerit faciendum. Et ideo vobis mandamus quod ad certos dies & loca quos ad hoc provideritis premiſſa faciatis in forma predicta, ſalvis nobis amerciamenis & aliis ad nos inde ſpectantibus. Mandavimus enim Vicecomitibus noſtris Comitatum predictorum quod ad certos dies & loca, quos eis ſcire faciatis, venire faciant coram vobis tot & tales probos & legales homines de Ballivis ſuis, per quos rei veritas in premiſſis melius ſciri poterit, & inquire, & ſimiliter locorum Dioceſanis, quod hujusmodi Clericos & Religioſos cum vos vel alter veſtrum eis ſcire feceritis vel fecerit una vobiſcum deputent ad premiſſa. In cujus, &c. Teſte regis apud Weſtmonaſterium, quarto die Aprilis.

Eodem modo aſſignantur ſubſcripti in ſingulis Comitatus ſubſcriptis, videlicet.

Wilhelmus de Den
& Roger Bryan, in } Essex, Hertf. Cant. Huntind. Middleſex.
Comitatibus

Johan. le Savage
& Joh. de Bonquell, } Kanc. Suffex, Shrr. Sutbt. Wilf.
in Comitatus

Johannes Randulf
& Ric. de Coleſhall, } Berk. Somerſ. Dorſ. Devbn. Cornu.
in Comitatus

Ad. de Cokedayk
& Rob. de Kniſtele, } Glouc. Wigorn. Heref. Salop. Staff.
in Comitatus

D

Wilhelmus

N. 35.
Pat. 26. Ed. 1.
M. 21. De in-
quirendo ſuper
Gravaminibus
populo Regni
faciatis ſingulis
Comitatibus
Anglie.

Wil. de S Quintino
& *Petrus Becard*, } *Eborum, Lanc. Notting. & Derb.*
in Comitibus

Johannes de Burne
& *Job. de Toyleby*, } *Boking, Bedf. Oxon. Leyc. Warr.*
in Comitibus

Ibid.
Articles of In-
quiry.

Come le *Rey* avant son passage vers *Flandres* eust volonte & desir, de faire redrescer & amender les *grevances* faites a son peuple, en noun de luy, e sur ceo envoiait ses Lettres par tuz les *Contes D'engleterre*, pur ceste chose mettre en effect ordene est par ly e par son conseil que les enquerours que sont assignez pur enquerre de tieu manere des *grevances* enquergerent des choses prises hors de seinte eglise & des prises de *leines, peaus, quirs, bles, bestes, chars, peisons*, & de tutes autres maneres des choses parmi le Roialme des *Cleris*, & de *Lais*, puis la guerre commencie entre nous & le *Rey de France* fust ceo pur garde de la mer ou en autre maniere. E enquergerent meismes ceaus par queux & as queux & de quici, & de combien, & de la value, & coment, & queu maniere icelles prises & *grevances*, furent seites au poeple. E cestes choses oont & terminent ausibien par office come a sute de partie e quant la verite de ces choses ferra atteinte, le quel que ceo soit par garaunt ou sanz garaunt, ceo que ferra pris sanz garaunt soit retourne a ceaux que le damage ount receu, si le tortefanzient de quey e outre ceo puniz pur le trespassse. E sil neient de quey ceaus as queus les garantz & le *Commissions* sont venuz come *Viscuhtes, Cleris*, assignez, *Bailiffs*, & autre tieu manere de *Ministres* reespoingent pur leur surmis qui averont fait tieu prises. E que de ceo que ferra trouve pris par garaunt le *Rey* soit certifie & il entrataunt quil se rendront apaisez par reson. Et fuerunt inde septem paria & fuerunt *Patentes*.

A Tous ceus qui ces Lettres verront ou orront, *Renaud* par la suifrance de Dieu, *Evesque de Vicence*, *Messages* nostre Seignour l'*Apostolle*, saluz en Dieu pardurable. Nous faisons favoir a vostre universite que venant a *Whiteland* en Royaume de France a nostre presence Monsieur *Robert de Bourghers* Chivaler *Constable de Doure*, & procurator de tresnoble Prince & Roy D'engleterre, establiz en ceste fourme *Edward* par la Grace de Dieu Roy D'engleterre, Seignour D'irland, & Ducs D'aquitaine, a touz ceux qui cestes presentes verront ou orront, saluz. Saches que nous felons ordenoms, & establissons nostre ame & seal *Robert de Bourghers* nostre *Constable de Doure*, nostre certain *Procurator*, & li gonems plener poair par ces presentes de baillier & delivrer en nostre noun a *Whiteland* *Johan de Baillol*, au reverent *Piere Renaud*, par la Grace de Dieu *Evesque de Vicence*, *Message* l'*Apostolle* en la fourme que sensuit. Cestassavoir que li dit *Apostolle* peusse dire & ordener tant soulement de la persone le dit *Johan* & des terres les queles meismes celi *Johan* ont jadis en Engleterre, sicome il plerra a la bone volonte du dit *Apostolle* en meisme la manere que nous purriens dire, se meisme celui *Johan* demorast vers nous personnelment en Engleterre. Saube a nous & a nos Heirs Rois D'engleterre, le Royaume D'escocce, les hommes, les inhabitantz & totes les appartenances des meisme le Royaume. En telmoignance

N. 3.
Brevia 26. 27.
Ed. 1. in Tur.
Lond. Pryns
Ed. 1. F. 797.

moignance des queux choses nous avoms fait cestes nos Lettres overttes. Donees a *Canterbir* le quatterzime jour de juygnet, l'an de nostre Regne vint & septisme. Reherce & leust les paroles desouz elcrites. En noun de Dieu, Amen. Come Sire *Johan de Baillol* qui est ici presentz par devant vous reverent *Piere Evesque de Vicence*, *Message* de nostre Seignour l'*Apostolle* pur multz de trespasss & treisfons Inhumainement demonstrez & faitz par li a tresgrant Prince son Souveraigne Seignour sanz meyn Sire *Edward* par la Grace de Dieu Roy D'engleterre encontre son hommage, & le devoir de sa feaute purement par son gree & sanz condition souz meist du tot a la volonte du dit Roy le Royaume D'escocce du quel il estoit jadis Rois, & tout le droit quil avoit en cel, ou a cel & au pueple de meisme le Royaume & a ce touz ses biens, sauve tout soulement a li vie & membre, & non emprisonnement. E que puis il par son agreable corage & par la franche volonte purement & sanz condition, se rendest a son Seignour avantdit Roi D'engleterre, & le dit Royaume D'escocce, ove les hommes & ses autres droitures & appartenances universelles & la Royale Dignite, & son Royale honneur & outre ce toutes ses terres & totes ses possessions, ove touz ses moebles & non moebles & foi movants, sicome appiert par un *Instrument public* fait de ce, a la requeste du dit *Johan de Baillol*, je *Robert de Bourghers* *Procureur* du devantdit Roy D'engleterre, par commandement de li & come *Procureur*, bail & assigne lavantdit *Johan* present, a vous Sire Reverend *Evesque de Vicence*, *Message* nostre Seignour l'*Apostolle*, pur la Devotion, reverence, & honneur du tres Seint *Piere* nostre Seignour l'*Apostolle* & de la Seint Eglise de Rome, es maneres & es conditions que sensuient. Cest assavoir que nostre l'*Apostolle* peusse due & oideiner tant soulement de la persone le meisme *Johan*, & des terres les queles meismes celi *Johan* ont jadis en Engleterre, sicome a plerra a la bone volonte de nostre Seignour l'*Apostolle*, en meisme la manere que mon Seignour li Rois D'engleterre poroit dire si meismes celi *Johan* demorast vers luy personnelment en Engleterre. Saube a mon Seignour le Roy D'engleterre, & a ses Heirs Rois D'engleterre le Royaume D'escocce, les hommes, les inhabitantz, & totes les appartenances de meisme le Royaume. Cestassavoir & entendre que nostre Seignour l'*Apostolle* ne peusse oideiner ne dire du avantdit Royaume D'escocce, des hommes, des inhabitantz, ne des appartenances de meisme le Royaume pur le devantdit *Johan de Baillol*, ne pur ses Heirs, qui sont, ou qui purroient estre, ne pur nul de ses appartenances par quecunque cause, que ce soit. Et nous avantdit *Evesque*, le desusdit *Johan de Baillol* a nous baille avoms ensi resceu en lieu & en noun de nostre Seignour l'*Apostolle*. En telmoign des queux choses nous avoms mis nostre seal a ces presentes Lettres. Donees a *Whiteland* le Samady devant la fest Nostre Dame la Magdalene, au quel jour nous reseumes le devantdit *Johan de Baillol*, en la manere desusdite par le *Procureur* devantdit, l'an de nostre Seignour, 1299.

D 2

IN

N. 37.
In Tut. Lond.
A. D. 1298.
Pryn. Ed. 1.
Fol. 665.

IN Nomine Domini, Amen. Anno à Nativitate ejusdem millesimo ducentesimo nonagesimo octavo, Indictione undecima prima die Mensis Aprilis in Camera Hospitii venerabilis Patris A. Episcopi Dunelmensis extra London, ipse de statu & conditione Regni Scotiæ & inhabitantium idem regnum coram nobili viro Domino **Johanne de Balliolo** verba faciens — Idem **Johannes** motu proprio in præsentia mei notarii & testium subscriptorum inter alia quædam verba dixit & protulit Sermonem Gallico, hunc habentia intellectum, videlicet, quod dum ipse dictum regnum Scotiæ, ut *Rex & Dominus* ipsius regni tenebat atque regebat, tantam invenit in hominibus ejusdem regni *malitiam, fraudem, proditorem, & dolum*, propter eorum *malitiam, nequitiam, dolositates*, & alia nonnulla execrabilia & detestabilia facta ipsorum, qui cum tunc *Principem* eorum *potiori*, sicut veraciter intellexerat, *machinabantur*, intentionis suæ non est prædictum regnum Scotiæ, ingredi vel intrare aliquo tempore in futurum, seu de ipso regno, aut pertinentiis suis per se, vel per alium, aut alios intrmittere ullo modo. Nec etiam dictis & aliis multis de causis aliquid habere commune cum *Scotis*. Adjiciens idem Dominus **Johannes** quod alias rogaverat præfatum Dominum **Episcopum Dunelmensem** ut magnifico *Principi & Domino suo*, Domino **Edwardo** Regi Angliæ illustri, hanc suam esse intentionem, voluntatem, & firmum propositum explicaret, & adhuc sibi cum instantia supplicat, quatenus præmissa eidem Domino Regi ex parte sua dignetur & velit exponere & plenius aperire. Actum Anno, indictione, die & loco prædictis, presentibus memorato Domino **Episcopo Dunelmensi**, & Nobili viro **Radulpho de Sandwyco**, Constabulario Turris London, & nonnullis aliis existentibus tunc ibidem.

Et ego **Johannes Erturi** de *Cadomo*, Apostolicæ sedis autoritate *Notarius Publicus*, hiis omnibus interfui, propria manu scripsi, & mei signi annotatione, in hanc publicam formam redegi.

N. 38.
Clau. 34. Ed.
1. M. 6. intus
Pryn. ut supra
F. 1124.

REX Vicecomiti Suth'ton. salutem. Quia inimicum, *rebellem, & proditorem* nostrum **Willielmum Episcopum Sancti Andree** mittimus ad Castrum nostrum **Wynton**, carcerali custodiæ mancipandum, exigente hoc multiplici culpa sua, Tibi precipimus quod dictum Episcopum in tuam custodiam recipias & corpus ejus infra turrim dicti Castri in loco tutiori, & fortiori ejusdem turris includas, & salvo ac securè in *compedibus ferreis* custodias, sub forisfacturo vitæ & membrorum ac omnium terrarum & tenementorum, bonorum & catallorum tuorum quæ ex nunc forisfacta censemus, si de custodia hujusmodi aliquid periculum imminet in futurum. Proviso, quod locus predictus intus & exterius taliter muniatur, & firmetur quod de custodia ipsius inclusi nullum timeatur periculum, quodq; ad accedendum ad ipsum seu videndum, vel etiam ad alloquendum nemini possit patere aditus vel facultas, set nec ipse **Episcopus** quemquam videat, seu etiam alloquatur, præter illos quos ad deservendum ei necessario tuo periculo deputabis, & quos per singulos menses mutare & alios subrogare poteris ad cautelam, si pro securitate tuâ videris expedire, ut cuiuslibet conspirationis & collusionis suspicio evitetur. Et ut custodia ejus securior habeatur, omnes aditus & Portæ Turris prædictæ securius firmantur, & pons versatilis levetur continue, & claudatur;

ad

ad quam custodiam, fideles & bonos assignabis sub fidejussoria cautione custodes, pro quibus tu ipse nobis volueris sub prænotatis poena & periculo respondere. Ad hæc quia complicem suum consimili vel fortè majori infamia maculatum **Robertum** scilicet **Episcopum Glasguensem** fidelitatem suam erga nos & coronam nostram frequenter & temerè violentem, mittimus ad Castrum nostrum **Porecster**, incarcerationum ibidem, Tibi precipimus, ut posito prius in tuto in turri **Wynton**, præfato **Episcopo Sancti Andree** modo & forma præexpressis, dictum **Episcopum Glasguensem** in propria persona tua, ducas salvo & securè usq; **Porecstre**, & juxta tuam & Custodis nostri Castri prædicti circumspeditionem industrem, ipsum **Episcopum** in tuciori & fortiori loco Castri prædicti, in *compedibus ferreis* includas, locum insuper prædictum muniri & firmari vestro & ipsius Custodis Castri prædicti periculo facias, modo quo superius exprimitur de **Episcopo Sancti Andree**, seu etiam meliori, quia tam te quam prædictum custodem Castri nostri prædicti de custodia ipsius **Episcopi** volumus æquanimiter onerari. Et ut fortius & firmius custodiantur, volumus & mandamus, ut adjungas tibi & Custodi nostro castri prædicti aliquos homines fideles, & idoneos, terras tenentes de visneto castri prædicti vel loco vicini, quos ad hoc sufficientes videris, qui dictam custodiam una vobiscum recipiant & habeant, sub poenis & periculis prænotatis. De *substantatione* vero dictorum **Episcoporum** famulantium eis & Custodum suorum, quam per te exhiberi volumus secundum Indenturam quam tibi mittimus presentibus interclusam cujus altera pars remanet penes Thesaurarium nostrum, allocationem debitam tibi habere faciemus. Qualiter autem, & quam provide & secure ordinaveris de custodia prædicta, & quot & quos terras tenentes, *tibi & dicti Custodi Castri de Porecstre* adjunxeris ad eandem, dicto Thef. nostro sub tuo & illorum sigillis qui una tecum onus subibunt Custodiæ memoratæ significes, sine mora. T. R. apud Dunolm. 7 die Aug.

CUM in Parlamento Domini Regis apud Karliolum in **Osabis** Sancti Hillarii, Anno Regni Domini Regis **Edwardi** 35. propositæ fuerunt *petitiones* per *Comites, Barones, & alios Magnates, & Communitatem* totius Regni *Angliæ* pro statu *Corone Regiæ*, necnon terrarum ipsius Regis *Scotiæ, Walliæ, & Hiberniæ*, & tota communitate prædicta super *variis novis & intollerabilibus gravaminibus, oppressionibus, injuriis & extorsionibus* præfatis *Comitibus, Baronibus, Magnatibus, & communitate*, *autoritate & mandato Domini Papæ*, ac etiam per Magistrum **Willielmum Cessa**, Domini *Papæ Clericum*, necnon ejusdem Magistri **Willielmi** *Commissarios, Ministros*, seu *Vices gerentes* & ipsius nomine illatis, multipliciter in regno, & terris prædictis, prout in articulis contentis in prædictis petitionibus, qui tales sunt, inferitur.

HÆC omnia ad extrahendam à regno pecuniam, ad exinanitionem Ecclesiæ manifestam, & ad ditandum alienigenas, spoliatis indigenis, tendere dinoscuntur, nisi exurgat Deus & dissipentur inimici ejus, ut per secularem *Principem* & ipsius *Consilium* de consensu *Procerum & Magnatum* tanta malicia reprimatur.

N. 39.
Riley's Placita
Fol. F. 379.

N. 40.
Ib. F. 381.

Super

Super quibus *oppressionem, gravaminum, & extorsionum & injuriarum* Articulis prælati Magister *Guillelmus Cella* quatinus ipsum contingunt in pleno Parlamento prædicto allocutus, convictus exitit, nec inde se potuit, aliquater excusare, nisi tantum quod dixit, quod *authoritate Domini Papæ* præmissa fuerat executus. Et quia facta Magistri *Guillelmi Cella* in præmissis, si tolerarentur, manifeste cederent in divini cultus diminutionem, & Ecclesiæ Anglicanæ exanationem, necnon in præjudicium, læsionem, & exhæredationem *Coronæ, potestatis, jurisdictionis, & dignitatis Regiæ Anglicanæ, destructionemq; totius communitatis prædictæ, ac status regni, legum & consuetudinum ejusdem subversionem*, quod absit, perpetuam. Et unde majora pericula possent processu temporis evenire.

Demum, consideratis periculis prædictis, ex assensu Domini Regis, ac toto Consilio Parliamenti prædicti, provisum fuit, concordatum, ordinatum, & consideratum, quod præmissa gravamina, oppressiones, injurias & extorsiones fieri non permitterentur in regno, & terris prædictis, & prohibitum est prædicto Magistro *Guillelmo* in Parlamento prædicto, quod de cætero contra provisionem, concordiam, considerationem, prædictas, nec procedat, nec per se, seu alium quemcumq; in præmissis intromittat vel aliquo præmissorum. Et Injunctum est eidem Magistro *Guillelmo*, quod quicquid per ipsum, Collegas, Commissar. Ministros, Vices gerentes, aut alios quoscumq; sibi adherentes, seu intendentes attemptatum est, actum seu executum in præmissis, & quolibet præmissorum revocet, ut cassum, irritum, & inane, & totam pecuniam per eos in hac parte levatam, salvo custodiri faciat, & secure infra regnum prædictum, quousq; Dominus Rex, de Consilio prædicto, aliud super hoc duxerit ordinandum. Et ad majorem hujus rei evidentiam, ordinatum est, & concordatum per Dominum Regem & Consilium prædictum, quod Nuncii experti ad dictum Dominum Papam ex parte dicti Domini Regis, & totius communitatis prædictæ, transmittantur ad prædicta gravamina, oppressiones, extorsiones, & injurias notificanda & exponenda. Et præceptum est singulis Vicecomitibus regni prædicti, quod per sacramentum proborum & legalium hominum de Ballivis suis, per quos rei veritas melius sciri poterit, diligenter inquirent de nominibus Commissariorum, & aliorum Ministrorum prædicti Magistri *Guill. Cella*, qui præmissa, oppressiones, gravamina, extorsiones, & injurias in Comitibus prædictis, taliter perpetrarunt aut fecerunt necnon, de nominibus eorum, qui coram dictis Commissariis, vel Ministris, aliquem aut aliquos, citari vel vocari fecerunt, seu dicta gravamina executi fuerunt. Et omnes illos quos in præmissis culpabiles invenerint, atrachient per corpora eorum, ita quod eos habeant coram Rege in Octabis Sanctæ Trinitatis ubicunque tunc fuerit in Anglia, ad respondendum tam Domino Regi, quam aliis inde conqueri volentibus super præmissis. Et ad faciendum & recipiendum quod Curia Regis consideraverit in hac parte, & Vicecom. habeant ibi nomina eorum quos inde culpabiles invenerint, & Brevia.

R E X

R E X omnibus ad quos præsentis literæ pervenerint, salutem. Sciatís quod ob reverentiam sedis Apostolicæ, & affectionem quam erga Sanctissimum in Christo Patrem Dominum *Elementem*. Divina Providentia *Summam Pontificem*, gerimus & habemus, *concedimus* quantum in nobis est, quod dilecti nobis, Magister *Guillelmus Cella* *Archidiaconus Dravensis*, in Ecclesiâ Coventrenti, & *Petrus Amalmeni* *Canonicus Burdegalensis*, sedis Apostolicæ nuncii sibi factæ, de beneficiis Ecclesiasticis cum cura & sine cura, vacantibus in regno nostro provenientes usq; ad triennium secundum mandatum Apostolicum, non obstantibus quibuscunq; *Prohibitionibus* in Parlamento nostro inde factis: Ita videlicet, quod de fructibus de *Abbatibus* seu *Prioratibus* vacantibus in eodem regno provenientibus se nullatenus intromittant, ad opus dicti Domini summi Pontificis, modo debito colligere custodireq; valeant & tenere. Hoc tamen observato, quod pecuniam inde proveniente extra idem regnum præterquam per viam *Cambii* non deferant seu deferri faciant, quovis modo sine licentia speciali. Teste Rege apud Carliolum quarto die Aprilis, Anno regni 35.

Per ipsum Regem.

P Rætextu quarum literarum præfati Clerici Domini Papæ non habentes respectum ad prohibitiones eis inde in dicto Parlamento factas ad omnia prædicta extorsiones & gravamina facienda reverterunt; & quia dicti Clerici postea occasione prohibitionum illarum per plures de regno impediti fuerunt, quo minus extorsiones suas & gravamina sicut prius facere possent: Et idem Clerici in Concilio Domini Regis apud *Westmonasterium*, ad festum Sanctæ Trinitatis proximo sequentis, quoddam petitiones super impedimento eis facto portexerunt, & protulerunt coram Concilio ibidem literas suas supradictas. Et quia compertum fuit per easdem, quod Dominus Rex nichil revocavit de prædicta Ordinatione facta in Parlamento nec aliquid eidem Clericis concessit per literas prædictas nisi quod primos fructus Ecclesiarum vacantium, quantum in Rege fuit colligere, possint & habere, & super hoc quod nichil facerent, nec attemptarent, quod cederet in præjudicium Coronæ seu dignitatis Regiæ, aut aliorum fidelium Regis, & quod singula gravamina prædicta in præjudicium Regis & aliorum fidelium suorum cedunt, de mandato Domini Regis tunc apud Carliolum existentis. Concordatum fuit in eodem Concilio quod præfati Clerici nulla de gravaminibus prædictis facerent nec primos fructus Ecclesiarum de patronatu Regis, pro eo quod in præjudicium Regis Coronæ cederet, nec aliorum haberent. Intelligentibus autem dictis Clericis de concordia hujusmodi, petitiones suas ulterius in Concilio prosequi, seu ibidem ad responsum earundarum habenda accedere noluerunt. Ideoque ordinata fuit & facta eidem prohibitio subscrita.

N. 41.
Pat. 35 Ed. 1.
M. 19. Riley
ut supra. F.
353.

N. 42.
Riley ut supra,
F. 384.

F E T

N. 43.
Cl. 25. Ed. 1.
M. 13. Dorf.

FET a remembrer que le dimeine le xxvi. jour de Feuerer a *La-
nercoft* nostre Seigneur le Roy ordena e comanda par acunes re-
sons que maintenant apres les tres fimeins apres le prochain *tornement*
que sera ore a la Quinzeime de Pasque prochain avenir Monsieur
Pierts de *Savastion* seit prest a passer la Mer a *Dovre* vers *Gascoign*
a demoegey sanz revenir pardececa tant que au repel nostre Seigneur le
Roy avantdit & par son conge, e a cele ordinance tenir sanz venir en-
contre en nul point, le dit Monsieur *Pierts* fit Serment au jur e au leu
desuldaiz. Sur le cors Dieu, sur la croiz neitz, e, sur les autres reliques
nostre Seigneur le Roy. E outre ceo Monsieur *Edward* Prince de
Gales fitz nostre Seigneur le Roy fit sur le Serement sur le cors Dieu e sur
les autres Reliques quil ne receitret, ne retendroitz pres de li ne ovefque
li le dit Monsieur *Pierts* contre *Lordenance* avantdite sanz repel ou sanz
conge de nostre Seigneur le Roy sicom est avantdit. E par comandement
du dit nostre Seigneur le Roy feust ordenez que le dit Monsieur *Pierts*
eit par au en aid de ses Despens tant come il demmorra es parties de
dela a la volente & au repel nostre Seigneur le Roy sicom est avantdit,
Cen Mars *Desferlings* ou la value des *chipoteis* a recevoir des istues de
la terre de *Gascoigne*. E doit le primer an commencer le jour apres
ceo qui ferra passe la mer a *Dovre* jusques a *Whitefand* pur aler en
Gascoigne a demorer y solonc la dite ordenance & dite prendre la
dite summe a la volente le Roy e tant que le Roy eit fit enquerre ceo
que le dit Monsieur *Pierts*, ad pardececa e pardela e des profitz quil
ad eu puis quil vint en Engleterre issint que quant lechose ferra bien
enquise e que le Roy ensoit pleinement avise quil puisse ordener daceffr
ou damentuler *lestat* du dit Monf. *Pierts* solonc ceo que pierre au Roy
e quil vorra que bon soit.

N. 44.
Claufr. i. Ed. 1.
M. 11. Dorf.
Pryn's Ed. 1.
F. 122.

CUM Ecclesiis Cathedralibus in regno Angliæ viduatis, & de
jure debeat & solet de consuetudine provideri per electionem Can-
onicam ab hiis potissimè celebrandum Collegiis, Capitulis, & perso-
nis ad quas jus pertinet eligendi, petita tamen prius ab Illustri Rege An-
gliæ super hoc licentia & opeuta, & demum celebrata electione, persona
Electi eidem Regi debeat presentari, ut idem Rex contra personam ipsam
possit proponere, si quid rationabile habeat contra eam. Videtur eidem
Domino Regi, & suo consilio, quod sibi & Ecclesiæ Cantuariæ, cujus
ipse patronus est pariter & defensor fiat præjudicium in hac parte, præ-
cipue si res trahitur in aliis Ecclesiis Angliæ in exemplum, quod
Summus Pontifex hiis omisiss in hoc casu, ubi nec in materia,
nec in iorma electionis inventum est fuisse peccatum, nec in ipsis lit-
teris expressum potestatem sibi assumpserit ipsi Ecclesiæ providendi. Unde
ne de cætero ad consimiles provisiones procedat Romana Ecclesia: Et
si ad eas processerit, nec dicto Domino Regi per eas præjudicium gene-
retur, ut Temporalia alicuius Ecclesiæ Cathedralis sic proviso reddere
teneatur, Domine Electe Cantuariensis Temporalia Cantuariensis Ec-
clesiæ idem Dominus Rex vobis concedit ad præsens de gratia sua spe-
ciali. Et ego *lterus Bernard* ejusdem Domini Regis Clericus vice &
nomine ipsius protestor, quod concessio Temporalium in casu consimili
facta Domino *Nicholao Wintonienfi* Episcopo, cum protestatione tam-
en, & nunc in persona vestra denuo iterata, cum protestatione con-
simili, ad consuetudinem vel exemplum futuris temporibus minime
pertrahatur. Facta autem & lecta fuit ista protestatio apud West-
monastr.

monastr. in Capella Sancti Stephani die Lunæ in vigilia Sanctæ Lucie
Virginis, in presentia fratris *Roberti* de *Kilwardby* Cantuar.
Electi, præsentibus & ad hoc specialiter vocatis venerabili Patre *W.*
Dei Gratia Exon. Episcopo; & discretis viris *Dominis* *W.* de *Berton*
Canc. Angliæ, Magistro *Johanne* de *Chisall* Decano Sancti Pauli Lon-
don. *R. Burnell* Eborum Archidiacono, *Herveo* de *Borham*, fratre
Johanne de *Derlington*, Magistro *Willielmo* de *Cornera*, *Johanne* de
Kirkeby, *Willielmo* de *Saham*, & *Johanne* de *Shalesford*, Monacho
Cantuar. & multis aliis. Anno Domini 1272.

Memorandum, quod venerabilis Pater *J. Cantuar. Archiepiscopus*,
venit coram Rege & consilio suo in Parlamento Regis
Sancti Michaelis, anno regni Regis septimo apud Westmonastr. & con-
fitebatur & concessit quod de statutis, provisionibus & declarationibus
eorundem, quæ per ipsum promulgatæ fuerunt apud Rading, mense
Augusti anno eodem, inter quasdam Sententias Excommunicationis quas
idem Archiepiscopus ibidem promulgavit: Primo, deleatur & pro
non pronunciata habeatur, illa clausula in prima sententia Excommuni-
cationis quæ facit mentionem, de impetrantibus literas Regias ad in-
pediendum processum in causis quæ per sacros Canones, &c. Secun-
do, quod non excommunicentur Ministri Regis licet ipsi non pareant
mandato Regis, in non capiendi Excommunicatos. Tercio, de illis
qui invadunt Maneria Clericorum, ut ibi sufficiat pena per Regem
posita. Quarto, quod non interdicit vendere victualia Eboracensi
Archiepiscopo vel alii venienti ad Regem. Quinto, quod tollatur
Magna Charta de foribus Ecclesiarum. Confitetur etiam & concessit,
quod nec Regi nec Hæreditibus suis, nec regno suo Angliæ, ratione ali-
orum Articulorum in concilio Rading. contentorum, nullum generetur
præjudicium in futurum.

N. 45.
Claufr. 7. Ed. 1.
M. 1. Dorf.

REX Venerabili in Christo Patri *J. Cantuar. Archiepiscopo* totius
Angliæ Primati & omnibus Episcopis & aliis Prælatibus & absentiu-
um Procuratoribus London. conventuris, salutem. Dilectos & fideles
nostros *Rogertum Extraneum* & *Hugonem* filium *Ottonis Seneschalli*
hospitii nostri ad vos duximus transmittendos ad appellandum
pro nobis ne in Concilio seu Congregatione nuper apud London. convoca-
ta, contra Coronam & Dignitatem nostram aliqua statuere præsumatis. In
cujus, &c. Teste Rege apud Wynton. 6. die Januarii. Anno Regni
nostri octavo.

N. 46.
Pat. 8. Ed. 1.
M. 10. intus.

REX Venerabilibus in Christo patribus *J. eadem gratia Cantuari-
ensi Archiepiscopo* totius Angliæ Primati & omnibus Episcopis &
aliis Prælatibus in instanti concilio de *Lambeth* conventuris, salutem. Vin-
culo juramenti nobis estis (ut nostis) affecti, quo nobis in omnibus ad
Coronam & dignitatem nostram spectantibus omnem quam poteritis de-
litate observare debetis. Quapropter vobis mandamus in fide & fide-
litate quibus nobis tenemini firmiter injungentes, quod ad defensionem
& conservationem Jurium nostrorum & regni nostri, omnem
quam poteritis diligentiam adhibere curetis, & sub vinculo juramenti
memorati, & pena amissionis Temporalium quæ de nobis teneatis, vobis
omnibus & singulis firmiter inhibemus, ne in præjudicium nostri vel
ejusdem regni in concilio nunc apud *Lambeth* convocato, nec etiam
contra nos vel jura nostra, quibus prædecessores nostri Reges Angliæ &
nos

N. 47.
Pat. 9. Ed. 1.
M. 6. intus.

nos ex antiquâ & approbatâ consuetudine usi sumus, procurare vel attemperare aliqua præsumatis; aut etiam alicui huiusmodi procurare seu statuere volenti, assensum præbeatis, sic ergo vos habeatis in hac parte, quod vos debeamus potius specialiter commendare, quam de contrariis quod abist, increpare. Teste Rege apud Lyndhurst 18. die Septembris.

De Custode Regni Angliæ constituto.

N. 48.
Rot. pat. 1. Ed.
2. parte 1. M. 2.

REX Archiepiscopis, Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Militibus, libere Tenentibus, Communitatibus, Vicecomitibus, & omnibus aliis Ministris, Ballivis & fidelibus suis ad quos presentes littere pervenerint, salutem. Sciatis quod cum nos pro quibusdam negotiis, nos & statum Regni nostri tangentibus sumus ad partes transmarinas favente Domino in proximo profecturi. Nos de circumspectione & industria & fidelitate dilecti & fidelis nostri **Petri de Sabastion Comitris Cornubie** specialiter confidentes, ipsum **Comitem Custodem nostrum** dicti Regni ac locum nostrum in eodem Regno Tenentem pro pace & tranquillitate Populi dicti Regni nostri melius conservanda, constituimus per presentes, quamdiu in dictis partibus transmarinis moram fecerimus vel aliud inde duxerimus ordinand. Et ideo vobis mandamus quod eidem **Comiti** tanquam **Custodi** nostro dicti Regni & locum nostrum tenenti in eodem, in hiis quæ ad dictam custodiam pertinent, intendentes sitis & respondentes. In cujus, &c. quamdiu nobis placuerit duratur. Teste Rege apud Westmonasterium, dec. xxvi. Decemb.

De potestate data Custodi Angliæ, ordinandi de custodiis & conferendi Beneficia.

N. 49.
Rot. pat. 1. Ed.
2. parte 2.
M. 28.

REX Omnibus ad quos, &c. Salutem. Sciatis quod nos de fidelitate & industria dilecti & fidelis nostri **Petri de Sabastion Comitris Cornubie**, quem **Custodem** nostrum Regni nostri, dum nos in partibus transmarinis ad quas jam profecturi sumus, morari contigerit, vel aliud inde ordinandum duxerimus, constituimus specialiter confidentes eidem **Comiti** concedendi, vice nostra *licentiam eligendi*, omnibus illis qui *licentiam* huiusmodi ad futuros sibi eligendi *Pastores*, tam in *Ecclesiis Cathedralibus* quam *Conventualibus*, quas interim *Pastorum* solatio destitui contigerit in forma debita petierint, & postmodum *Electio* nibus illis *assensum* nostro nomine adhibendi, necnon ab *Electis* huiusmodi, cum *Electio* nes de ipsis faciendas confirmari contigerit, *fidelitates* capiendi ac eidem *Temporalia* quæ ipsis restituenda fuerint restituendi, & similiter *Prebendas Ecclesias* & alia *beneficia* quecumque interim vacantia quæ ad nostram *Collationem* seu *presentationem* pertineant nostro nomine conferendi, seu ad ea præsentandi & etiam ordinandi de *custodiis* & *maritagis* que nobis interim accidere contigerit, prout sibi per nos plenius est instructum, necnon *fidelitates hereditum illorum qui de nobis tenent in capite* vel alio modo, & quos interim decedere contigerit, cum hæredes illi plene ætatis fuerint, capiendi & eis terras & tenementa sua prout iustum fuerit nostro nomine reddendi plenam tenore præsentium concedimus & commitimus potestatem. In cujus, &c. Teste Rege apud Dover. xviii. die Januarii.

Per ipsam Regem.

LE

LE Roy a touz ceux qui cestres lettres verront ou orront saluz. Come nous al honur de Dieu, & por le bien de nous, & de nostre Roiaume, coms grantez de nostre franche volonte as *Prelatz, Contes & Barons* de nostre dit Roiaume qui puissent *eslire* certaines perſones des *Prelatz, Contes & Barons* & des autres les queux il leur semblera suffisauntz d'appeller a eux, durant les temps de leur poiar, cest a faver jésques a la feste de seint Michel prochein avenir, & de la dite feste en un an prochein suiant, per ordener & establir lestat de nostre *hostel*, & de nostre Roiaume, solonc droit & reson: Nous grantoms par cestres nos lettres a ceux qui deivent estre esluz, queux quil soient, par les ditz *Prelatz, Contes & Barons*, plein poiar de ordener lestat de nostre *hostel*, & de nostre Roiaume desuditz, en tien manere que leur ordenances soient faites al honur de Dieu, & al bonour & au profit de seint Eglise & al bonur de nous & a nostre profit, & au profit de nostre people, solonc droit & reson & le serment que nous seismes a nostre coronnement. Et voloms que les esluz & touz ceux qui sont de nostre seigneurie, & de nostre ligeance les ordenances que faites seront par les *Prelatz, Contes & Barons* qui a ce seront esluz, & autres par eux a ce appellez, tieignent & gardent en touz leur pointz, & quil se puissent a ce asseuer, lier, & entrejurer, sanz chalenge de nous. Et si par aventure aviegne que partie de ceux qui seront esluz, pur les dites ordenances faire soient desforbez par mort, ou par maladie, ou resnable encheson que Dieu deffende, per quei il ne puissent les dites ordenances pretaire, que adonques bien lyt a eux qui seront presentz pur meismes les ordenances faire, daler avant en les dites ordenances par eux, on appeller autres a eux, a celes ordenances faire solonc ce qui verront que ce soit plus a honur de nous, & au profit de nous, & de nostre people. Et en tesmoignance de queu chose nous avoms fait faire cestres noz lettres overtes. Don a Westm. le xvi. jour de Marz.

N. 50.
Pat. 3. Ed. 2.
M. 16. intus.
Ryley, plac.
Pat. fol. 526.

ATouz ceuz que cest lettre verront ou orront R. par la soeſsance de Dieu *Ercevesque de Canturburi* &c. R. de London. J. de Nichol. S. de Sarum. H. de Wync. J. de Norwyx. J. de Baa & Wells. J. de Ciceſtre. W. de Wyrc. W. de Exceſtre. V. de Saynt Davi. par meismes le soeſsance *Esvesques*. G. de Clare de Glouceſtre & de Herſ. T. de Lancast. H. de Lacy de Nichol. Humfr. de Boun de Hereſ. & Essex. J. de Britania de Richmond. Adomar. de Valencia de Pembok. Guy de Beauchamp de Warmic & E. de Arundel Countes: H. de Lancast. Henr. de Percy, Hue de Ver, Roberd de Clifford & Roberd Fitz Payn, Will. le Mareſchal, John Lovel, Raul le frz Will. Peyn de Tipetor, John de Botour. Barth. de Badlesmer, J. de Grey, John de Crummwell salutz in nostre Seygn. Come nostre *treschier Seygn* par la grace Dieu Roy de Engleterre & al bonor de Dieu & pur bien dit Seygn le Roy, & de son Roiaume ait Grante de la Franche volonte a nos & as autres *Prelates, Countes & Barons* du dit Roiaume: Que nous puissions *eslire* certaigns perſons de nos & des autres les queux il nos semblera suffisauntz de Apeler a nous durant le temps de nostre poer, cest a faver, jésque la feste saynt Michel prochein avenir, & de la dite feste en un an prochein suiant; per Ordener Establir lestat del ostel du dit nostre Seygn. le Roi, & de seen Roiaume solom Droyt & reson, & que ceux qui deivent estre esluz qui quil soient eyent pleyn poer de ordener lestat del ostel du dit nostre Seygn. le Roi & de son Roiaume desuditz en tieu manere, qui les ordenances soient faites al bonor de Dieu & al bonor, & profit de seynt Eglise & al bonor

N. 51.
Registrum
Winchelsey
fol. 14. b. at
Doctors Com-
mons. Note
that in this
Register,
things are En-
tered Con-
fusedly, nei-
ther according
to the time
when done, or
Order of the
folio's.

E 2

honor du dit nostre Seygn^r le Roi, & a son profit, & al profit de son poeple selonc droyt & raison & la serment que le dit nostre Seygn^r le Roi fist a son Coronement. E a ceo le dit nostre Seygn^r le Roi eyt volu que les esluz & touz ceux qui seynt la seigneurie & de la luanee, les ordenances que faites serrunt per les Prelates, Countes, & Barons qui a ceo serrunt esluz & autres par eux a ceo appelez Teignent & Gardent en touz lur poinz, & quil ceo puissent a ceo a seurer, — lier, & entrejurer saunz chaleng du dit nostre Seygn^r le Roy ou de seons, & si aventure aveygne que partie de ceux qui serront esluz par les dites ordenances faire soient desturbez par mort, ou par maladie, ou resonable enchesoun, que Dieu defende, par quoy il ne puissent les dites ordenances persaire que a donk bien lit a eux qui serront presents pur meismes les ordenances faire de aler avant en les dites ordenances per eux ou apeler autres a eux a ces ordenances faire selonc ceo quil verront que ceo soit plus al honor del dit nostre Seygn^r le Roy & al profit de luy & de son poeple, sicome plus pleynment este continues en les lettres overtes que nostre dit Seygn^r le Roy nous ad fet sur les choses desusdites; Nous Grantouz & promettons pur nos, nos successeurs & nos heyres, Que le grant que nostre Seygn^r le Roy ad fait en la maniere desusdits ne soit autrefois tret en custome, ne en usage ne ne Turne en prejudice du dit nostre Seygn^r le Roy ne de ces heyres, ne de nos, nos successeurs & nos heyres.

Rotulus Parliamenti de Anno quinto Edwardi Secundi.

N. 52.

LE Roy a tous ceux as queux cestes lettres vendront Saluz. Sachez que come le seissizme jour de Marz l'an de nostre regne tierce, al honneur de Dieu & pur le bien de nous & de nostre royaume eussoms graunte de nostre franchise volonte par nos lettres overtes as Prelats, Countes & Barons de dit Royaume quil puissent eslire certains periones des Prelats, Countes & Barons les queux il lour sembleroit suffisant appeler a eux & eussoms auxint graunte par meismes les lettres a ceux qui deussent estre esluz, queux quil fussent, par les ditz Prelatz, Countes & Barons plein poar de ordeiner lestat de nostre hostiel & de nostre royaume desusditz en tieu maniere que leur ordenances fussent faites, al honneur de Dieu & al honneur & profit de seint Eglise, & al honneur de nous & a nostre profit, & au profit de nostre poeple selonc droit & reson, & le serment que nous feimes a nostre coronement, si come plus pleinment est contenuz en hos ditz lettres, & lonourable Piere en Dieu Robert par le grace de Dieu Ercevesque de Cantebirs Primat de tote Engleterre, Evesques, Countes, & Barons a ceo esluz par le vertu de nos dites lettres eient ordeine sur les dites choses en la forme que ce ensuit. Por ceo que par mauvais conseil & deceivant nostre Seigneur le Roy & tous les seons sont en totes terres deshonorez & estre de la Coronement des poinz abeissée & demembre & les terres de Gascoigne, Dirland & Descoc en point destre perduz si Dieu — ment & son Royaume Dengleterre: en point de reveler pur oppressions, prises & destruccions les queux choses seues nostre Seigneur le Roy de sa franchise volonte graunta as Prelatz, Countes, & Barons, & as autres bons gentz — de son Royaume que certain gentz fussent esluz de ordeiner & establir lestat de son hostiel & de son Royaume, si come plus pleinment piert par la commission nostre Seigneur le Roy de ce faite doute nous Robert par

par le grace de Dieu Ercevesque de Cantebirs Primat de tote Engleterre, Evesques, Countes, & Barons esluz par la vertu de la dite commission ordinoms al honneur de Dieu & de seint Eglise & losur de Roy & son Royaume en la manere que ce ensuit.

1. Enprimus nous ordenoms que les ordinances avant faites par nous & monitrez au Roy soient tenuz & gardees les queux sont prescheinement souz escriptz. Enprimus ordeine est que seinte Eglise eit totes ces franchises si avant come ele deit avoir.

De franchise de seint Eglise.

2. Derechief ordeine est que la pers le Roy soit fermement garde par tout le royaume issent que chescune puisse sauvement alier, venir, & demorir selonc la ley & lusage du royaume.

De la pers le Roy garder.

3. Derechief ordeine est par les dettes le Roi acquittier & son estat relever & le plus honouablement maintenir, que nul doun de terre ne de rente, ne de franchise, ne de deschite, ne de garde, ne de mariage, ne baille, se face a nul des ditz ordenours durant leur poar del dit ordenelement, ne a nul autre saunz conseil & assent des ditz ordenours ou de la greinour partie de eux ou sis de eux, au miens mes totes les choses des queux profitz poertz surdre soient en prucez al profit le Roy jusques son estat soit avenaument releve & autre chose soit sur ce ordeine al honur & profit du Roy.

De douns faites par le Roy sanz assent des Ordenours.

4. Derechief est ordeine que les Custumes du Royaume soient gardees, & reseuz par gentz du royaume meismes & non a pas par aliens, & que les issues & les profitz de meismes les custumes ensemblement ove totes autres issues & les profitz issantz du royaume, des queux choses que ces soient entierment vieignent as Eschequier le Roy & par le Tresorer & les chamberleins soient livreez pur loustiel le Roy maintenir & aillours a son profit, issint que le Roy puisse vievre du soen saunz prizez faire autres que ancienes dues & acustumez & totes autres ceissens.

Des custumes liverer a Leschequier.

5. Derechief ordeine est que toutes les Marchants aliens qui out receuz les profitz des custumes du royaume ou des autres choses appartenances au Roy puis la mort Roy Edward piere nostre Seigneur le Roy qui ore est, soient arestuz ove leur biens ou quil soient trevez denz le poer le Roy Dengleterre, jusques il eient renduz resonable accounte de quant quil eient receuz des issues du roialme deinz le temps avantditz, devant le Tresorer & les Barons del Eschequier, & autres jointz a eux par les ditz ordenours.

De Marchantz aliens atteinor.

6. Derechief ordeine est que la graund Chartre soit garde en toutz ses poinz en tieu manere que sil yeit en la dite Chartre nul point oscur ou doctif soit desclaree par les ditz ordenours & autres que il verront a eux a ce appeler quant il verront temps & deurant leur poer.

De la graunde Chartre tenir.

7. Et puis derechief pur ce que la Corone est tant abeissée & de- membre par diverses douns, nous ordenoms que tous les douns que sont donez au damage du Roy & distresse de la Corone puis la Commission a nous faite de chasteux, villes, terres, & tenements, & baillies, gardes & mariages eschetes & reles, queconques queles soient, assibien

De douns le Roy repeler.

aussibien en Gascoigne, Irlande, Gales & Escoce, come en Engleterre soient repellez. Et nous les repellons de tout sanz estre redonnez a meismes ceuz sanz comun assent en Parlement. Et que si tieu manere des douns ou reles soient desoreines donez encountre la forme avantdite sanz assent de son Baronage & ce en Parlement tant que ses dettes soient acquittes & son estat avenauntment relevez soient tenuz pur nuls & soit le parvoir puny en Parlement par egard del Baronage.

De totes maneres issues du royaume liverer a Lescchequir.

8. Por ceo que autrefois fut ordain que les custumes du royaume fussent rescueu & gardez par gentz du royaume & non pas par aliens, & que les issues & les profitz des meismes les custumes ensemblement ove totes les autres issues & profitz issantz du royaume, queux que eux fussent, entierment venissent al Eschequir le Roy & par le Tresorier & les Chambrerains fussent rescueu & liveriez pur lousiel le Roy maintenir & aillours a son profit issent que le Roy puisse vivre de terre, sanz prizez fait autres que aucienes dues & droitureles, les queux choses ne sont mye tenues dount nous ordeinons que les dites custumes ensemblement ove totes les issues du royaume, come avant est dit, soient rescueu & gardez par gentz de royaume & liveriez al Eschequir en la forme susdite.

Que le Roy ne alier hors du royaume.

9. Por ceo que le Roy ne doit imprendre fait de guerre contre nul y ne alier hors du son royaume sanz comune assent de son Baronage pur moults des perils que purront avenir a lui & a son royaume, nous ordeinons que le Roy desoremes ne aile hors du son roialme, nemprenge contre nul y fait de guerre sanz comune assent de son Baronage & ceo en Parlement & si autrement le face, & si sur cele emprise face somondre son service soit la somme pur nule, & si aveigne que le Roy empreigne fait de guerre contre nully ou aile hors de terre par assent de son dit Baronage & busoigne quil mette Gardein en son roialme, dount le mette par comune assent de son Baronage, & ceo en Parlement.

Que totes prises cessent.

10. Et por ceo quil fait a dotier que le people de la terre se leve pur prises & diverses oppressions faites einz ces heures, nomenent pur ceo que autre fois estoit ordeine que nostre Seigneur le Roy resquist de soen sanz prises faire autres que les aucienes dues & accust

& totes autres se cessassent & nout pas pur ceo prises sont faites de jour en jour contre cel ordeinement come avant, nous ordeinons que totes prises cessent desoremes fauves les prises aucienes droitureles & dues au Roy & as autres as queux eles sont dues de droit, & si nules prises se facent encountre lordinement susdit par qui que ce soit ou de quele condition quil soit, cestassavoir, si nul par colour de purveiance faire al oeps

notre Seigneur le Roy ou a autre preigne blees, mers merchandises ou autre manere des biens contre la volonte de ceux a qui il sont & ne rend. maintenant les deniers a la verroie value sil ne puisse de ceo avoir respite de la bone volonte le vendour solonc ce que est compris en la grande Chartre des prises faites par Concessables des Chateaux & leur bayliffs & estre la forspise des prises dues susdites nient contrecsteant commission que il eit, soit levee sur si la menee par huy & cry & menes a la prescheine gaole le Roy.

M. Charta. c. 19.

& de luy soit fait commune ley come de Rebours ou de laron si de ce soit atteint.

11. Ensement nobelles custumes sont lebrés & aucienes enhauncées, come sur leyns, draps, vins, avoir de poiz & autre choses par quoy les Marchauntz vieignent plus richement & meins de bien meignent en la terre & les Marchauntz estrangers demorant plus longues quil ne soleint faire, par la quele demore les choses sont le plus encherries quil ne soleint estre au damage du Roy & de son poeple, nous ordeinons que totes maneres des custumes & maltoutes leveez puis le coronement le Roy Edward fiz le Roy Henry soient entierment oustees & de tor esteintz par toutes jours, nient contrecsteant la Chartre que le dit Roy Edward fist as Marchantz aliens, pur ceo que il fut fait contre la grand Chartre & encontre la fraunchise de la Citee de Lundres & sanz assent del Baronage. Et si nuly de quele condition quil soit rien preigne ou leve outre les aucienes custumes, dues & droitureles, ou destourbance face pay quey les Merchantz ne peussent de leur biens faire leur volonte, Et de ceo soient atteintz soient agardez as plaintifs leur damages eauntz regard al purchase al a suite as coustages & per ces que il averont en & al offense de la grande Chartre & eit le Trespassour la prisone solonc la quantite du trespass & solonc defcretion des Justices, & mes ne soit en service le Roy sauve nequedent au Roy les custumes de leyn, peaux, & de quirs, cestassavoir, de chefcun Saack de leyne demy mark, & de CCC. peaux lanuz demy mark, & de last de Cuir un mark, si avoir le doit & desoremes vieignent demoergent & aient les estrangees Merchantz solonc les aucienes custumes & solonc ce que aucienement soleint faire.

De noveles custumes & maltoutes leveez.

12. Al honneur de Dieu & de saint Eglise encountre ceux qui par malice purchasent prohibitions & attachements encountre ordeineurs de saint Eglise en cause de corrections de peche & des autres purement spirituelles que nule manere partieignent a la ley court, Nous ordeinons que par les Justices que atteignent tieu malice & que ancienement les malicieux plaintifs soient agardes damages as ordeiners a tort travailles, ou si les ditz plaintifs neient dount paier, soit agarde prisone du temps solonc la grievance malicieuxment procuree sauve lestar du Roy & de la Coron & autre droit.

De damages avec de lattaheur.

13. Et pur ceo que le Roy ad esier mal guide & conseilles par mauves conseilless come est susdit, Nous ordeinons que tous les mauves conseilless soient oustez & remuez de toutz issint que eux ne autres tieux ne soient mes pres de luy ne en office le Roy retenez, & que autres gentz covenables soient meis en leur lieux. Et en meisme la manere soit fait des menengs & des gentz de office que sont en lousiel le Roy que ne sont pas covenables.

De mal conseilless le Roy ouster.

14. Et pur ceo que moults des mauz sont abenez par tieux conseilless & tieux Ministers, Nous ordeinons que le Roy face Chancellor, Chief Justice del une Bank & de lautre, Tresorier, Chancellor & Chief Baron del Eschequir, Seneschal de son hostiel, Gardeyne de la Gardrobe & Contreroller, & un Clerk covenable pur garder son Privie Seale, un Chief Gardeine de ses Forestes

De officers & Ministers de Roy faire.

de

de cea Trent & un autre dela Trent & aussi un Escheatour de cea Trent & un autre dela, Chief Clerke le Roy en la commune Banke par le conseil & consent de son Baronage & ceo en Parlement. Et fil aviegne par aucune aventure que il covient mettre aucuns des ditz Ministres avant ceo que parlement soit dunque le Roy permettre par le bon conseil que il averoit de li jusques au Parlement. Et issint soit fait desoremes des tieux Ministres quant mestier ferra.

15. **Essement nous ordeinoms que touz les chief gardeyns des portz & chasteaux sur la mere feroient mis & faitz en la fourme susdite, Et que ceux gardeins soient de la terre mesmes.**

16. **Et pur ceo que les terres de Galloigne, Dirland & Descoce sont en peril destre perdues per detaute des bones ministres, nous ordeinoms que bones & suffisantz ministres soient mis a la gard faire en les dites terres en la fourme conteue en la second Article precheine.**

17. **Estre ceo nous ordeinoms que Viscountz soient de formes mis par la Chaunceller & Tresorier & les autres de conseil qui feroient presents. Et si Chanceller ne soit present soient mys par le Tresorer & Barons del Eschequir & par les Justices de Bank, Et que tieux soient mis & faitz qui soient convenables & suffisantz & qui cient terres & tenements dont il pussent respondre au Roy & au people de leur faitz & que nuls autres que tieux ne soient meis & que eux cient comission desouz le grant Seale.**

18. **Pur ceo que commune fame est & obesque cemeinte de moustrance ad este fait que divers oppreffions come delheritaunces, faux enditements & emprisonnements sur ce grevous raunceo & des autres moultz de maneres des grevances que Gardeyns, Bayliffs, Ministres des forestes & autres ount fait par colour de leur Baylies & de leur offices, des queles grevances le people que tant est grevez ne seose overtement pleindre ne leur pleintz faire en la Court le Roy, tant come ils sont en leur bailles & offices. Nous ordeinoms que des touz Gardeins, Bailiffs Ministres, des forestes que avant le temps le Roy qui ore est soleient estre remuables a la volonte le Roy, ausibien de ceux as queux leur bailles & offices sont volontierment grantees a terme de vie, nouncountrre estant tieu grant come des autres leur bailles & offices soient seises en la main le Roy, Et que bones gentz & loiaux soient assignez Justices denquere sur les grevances avantdites, & de oier & determiner toutes les grevances & les pleints de touz i ceux qui devers les ditz Gardeins, Bailiffs, Ministres des Forestes suivre vodront pur le Roy ou pur eux mesmes solonc la ley & la custume de royaume, Et si avant come ley le seoffre soient les pleints terminees entre cy & la Pask precheinavenir ou avant cy home poer & bone manere solonc ley, & si les ditz Gardeins, Bayliffes & Ministres soient trouvez coupables des grevances avant dites adonques soient remuez pur touz jours, & si non recient leur Baillies & Offices.**

Del Gardeyns
des Cynkports.
Membre, secun-
da.

De Ministres
faire en terres.

De Viscountes
faire en coun-
ties.

De Gardeyns
de forestes.

Et pur ceo que plusieurs gentz sont desheritez, ceintz & destruitz par les souverains gardeins des forestes de cea Trent & de la, & par les autres ministres cointre la fourme de la Chartre de la Foreste & encountre la declaracion que le Roy Edward-fiz le Roy Henry fist en la fourme que ensuyt cestalavoir nous volouns & grantouns pur nous & pur nos heires que de trespais faitz en nos forestes de vert & de venison que les forestiers en qui baillies tieux trespais feroient faitz presentment mesmes les trespais as procheinnes Swainemotes devant Forestiers, Verdours, Regardours, Agistours & autres Ministres de mesmes les forestes sur & tieux presentments devant les Forestiers, Verdours, Regardours, Agistours & autres Ministres avantdites par serment ausibien des Chevaliers come des autres prodes homes & loiaux & ne my suspicionons des parties veisinaux & plus procheinnes en tieu trespais seront issint presentez purra la verite mientz & plus pleinement estre enquis, & tiele verite issint enquis soient tieux presentments par commune accord & assent de touz les ministres avantdites solempnement afforciez & de leur seaux ensealez. Et si en autre manere soit nul enditement fait soit deforme a nul tenuz, & pur ceo que les chiefs Gardeins les forestes ne eant my la eire fourme tenuz jusques en cea nous ordeinoms que desormes nul ne soit pris nemprioonnee pur vert ne pur venison, si ne soit trovez a main oeuvre, ou en la fourme avantdite enditez & adunque si lesse le Souverain Gardein de la Foreste a meinprise jusques al dire de la Foreste sans rien prendre pur la delivrance. Et si le dit Gardein faire ne le voile eit brief en Chancellerie que ancienement fut ordenee pur tieuz enditez destre a meinprise jusques en Eyre. Et si le dit Gardein apres le dit brief relceu ne face tieux enditez sanz delay delivrer a mainprise sanz rien prendre dunque eit le Plantiff brief en Chancellerie au Viscount dattacher le Gardein devant le Roy a certaine jour a respondre per quoi il nad replein celui qu'est en si pris & le viscount appelez les Verdiers face delivrer celui que est pris per bone mainprise en la presence des Verdiers & les nouns des meinpernours face liverer a mesmes les verdiers a respondre en Eyre devant Justices. Et si le chief Gardein de ceo soit atteint soient agardeez as Pleintifs ses damages au treble & le dit Gardein a la prison & reinte a la volonte le Roy & mes ne soit en office le Roy & desormes soit escrit a eux come as chiefs Gardeins de la Forest pur ceo que Justices ne devient il etre ne recordavoir forsque en Eyre. Et pur ce que home dit que les chiefs Gardeins des Forestes encountre la fourme susdite ount pris & leves fines, Amerciements, & raunceons, nous ordeinoms que les ditz Gardeins & les autres chiefs Gardeins rendent leur accompres des prises susdites devant le Tresorier & le Barons d'Eschequir entre cy & le Noel prochein avenir.

Pur ceo que comme chose est que par l'examinement de Prelatz, Counts & Barons, Chivaliers & autres bones gentz du royaume trovez que Piers de Gaveston ad malmenez & mal conseillez notre Seigneur le Roy lad entice a malfaire en diverses maneres & deceivances en accointant a luy tout le Tresor le Roy & lad elloigne hors du royaume en accreant a luy roial poer & roial dignitee come en alliance faire degentz par sermentz de vivre & morir ouisque li'encontre toutes gentz, & ceo par le tresor que il purchafe de jour en jour enseignant sur lestat le Roy & de la Corone en destruccion du Roy

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ments de la
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de cea Trent & un autre dela Trent & aussi un Escheatour de cea Trent & un autre dela, Chief Clerke le Roy en les commune Banke par le conseil & consent de son Baronage & ceo en Parlement. Et si aviegne par aucune aventure que il covient mettre aucuns des ditz Ministres avant ceo que parlement soit dunque le Roy permettre par le bon conseil que il averoit de li jehques au Parlement. Et issint soit fait desoremes des tieux Ministres quant mestier ferra.

15. **Ensement nous ordeinoms que touz les chief gardeyns** des portz & chasteaux sur la mere ferraient mis & faitz en la fourme susdite, Et que ceux gardeins soient de la terre mesmes.

16. **Et pur ceo que les terres de Gascoigne, Dirland & Descote** sont en peril destre perdues per defaute des bons ministres, nous ordeinoms que bones & suffisantz ministres soient mis a la gard faire en les dites terres en la fourme contenue en la second Article precheine.

17. **Et pur ceo nous ordeinoms que Viscountz** soient de formes mis par la Chauceller & Trezorier & les autres de conseil qui ferraient presents. Et si Chauceller ne soit present soient mys par le Trezorier & Barons del Eschequir & par les Justices de Bank, Et que tieux soient mis & faitz qui soient convenables & suffisantz & qui cient terres & tenements dont il puissent respondre au Roy & au people de leur faitz & que nuls autres que tieux ne soient meis & que eux cient comission desouz le grant Seale.

18. **Pour ceo que commune fame est & ovesque cemeinte** de mounstrance ad este fait que diverse oppressions come delheritaunces, faux enditements & emprisonements sur ce grevous raunceos & des autres moultz de maneres des grevaunces que Gardeyns, Bayliffs, Ministres des forestes & autres ont fait par colour de leur Baylies & de leur offices, des queles grevances le people que tant est grevez ne seose overtement pleindre ne leur pleintz faire en la Court le Roy, tant come ils sont en leur bailles & offices. Nous ordeinoms que des touz Gardeins, Bailiffs Ministers, des forestes que avant le temps le Roy qui ore est soient estre remuables a la volonte le Roy, ausibien de ceux as queux leur bailles & offices sont volontriement grantees a terme de vie, nouncountre esteant tieu grant come des autres leur bailles & offices soient seises en la main le Roy, Et que bones gentz & loiaux soient assignez Justices denquere sur les grevances avantdites, & de oier & determiner toutes les grevances & les pleints de touz i ceux qui devers les ditz Gardeins, Bailiffs, Ministres des Forestes suivre vodront pur le Roy ou pur eux mesmes solonc la ley & la custume de royaume, Et si avant come ley le seoffre soient les pleints termines entre cy & la Pask prechein avenir ou avant cy home poet & bone manere solonc ley, & si les ditz Gardeins, Bayliffes & Ministres soient trouvez coupables des grevances avant dites adonques soient remuez pur touz jours, & si non recient leur Bailles & Offices.

Del Gardeyns
des Cynkports.
Membre. foun-
da.

De Ministres
faire en terres.

De Viscountes
faire en coun-
ties.

De Gardeyns
de forestes.

Et pur ceo que plusieurs gentz sont delheritez, reinte & destruitz par les sovraignes gardeins des forestes de cea Trent & de la, & par les autres ministres countre la fourme de la Charrre de la Foreste & encountre la declaracion que le Roy Edward fiz le Roy Henry fist en la fourme que ensuyt cestavoir nous volouns & grantouns pur nous & pur nos heires que de trespals faitz en nos forestes de vert & de venison que les forestiers en qui baillies tieux trespals ferraient faitz presentement mismes les trespals as procheinnes Swainemotes devant Forestiers, Verdours, Regardours, Agistours & autres Ministres de mismes les forestes sur & tieux presentments devant les Forestiers, Verdours, Regardours, Agistours & autres Ministres avantdites par searment ausibien des Chevaliers come des autres prodes homes & loiaux & ne my suspicionons des parties veilliaux & plus procheinnes en tieu trespals seront issint presentez purra la verite mientz & plus pleinement estre enquis, & tiele verite issint enquis soient tieux presentments par commune accord & assent de touz les ministres avantdites solempnement afforciez & de leur seaux enteelez. Et si en autre manere soit nul enditement fait soit deforme a nul tenuz, & pur ceo que les chiefs Gardeins les forestes ne eant my la eite fourme tenuz jusques en cea nous ordeinoms que desormes nul ne soit pris nemprisonnee pur vert ne pur venison, si ne soit trovez a main oeuvre, ou en la fourme avantdite enditez & adunke si lesse le Souverain Gardein de la Foreste a meinprise jusques al dire de la Foreste sans rien prendre pur la delivrance. Et si le dit Gardein faire ne le voie eit brief en Chancellerie que ancienement pur ordenee pur tieuz enditez destre a meinprise jusques en Eyre. Et si le dit Gardein apres le dit brief rescue ne face tieux enditez sanz delay delivrer a mainprise sanz rien prendre dunque eit le Plantiff brief en Chancellerie au Viscount dattacher le Gardein devant le Roy a certaine jour a respondre per quoi il nad replein celui qu' est en si pris & le viscount appellez les Verdiers face delivrer celui que est pris per bone mainprise en la presence des Verdiers & les nouns des meinperneurs face liverer a mismes les verdiers a respondre en Eyre devaunt Justices. Et si le chief Gardein de ceo soit atteint soient agardeez as Pleintiffs ses damages au treble & le dit Gardein a la prisone & reinte a la volonte le Roy & mes ne soit en office le Roy & desormes soit escrit a eux come as chiefs Gardeins de la Forest pur ceo que Justices ne devient il estre ne recordavoir forsque en Eyre. Et pur ce que home dit que les chiefs Gardeins des Forestes encountre la fourme susdite ont pris & leves fines, Amerciements, & raunceons, nous ordeinoms que les ditz Gardeins & les autres chiefs Gardeins rendent leur accomptes des prises susdites devant le Trezorier & le Barons d' Eschequir entre cy & le Noel prochein avenir.

Pur ceo que connue chose est que par l'examinement de Prelatz, Counts & Barons, Chivaliers & autres bones gentz du royaume trovez que Piers de Gaveston ad malmenez & mal conseillez notre Seigneur le Roy lad entice a malfaire en diverses maneres & deceivances en accoiant a luy tout le Tresor le Roy & lad esloigne hors du royaume en accraunt a luy roial poer & roial dignitee come en alliance faire degentz par serementz de vivre & morir ouisque li'encontre toutes gentz, & ceo par le tresor que il purchafe de jour en jour enseignant sur lestat le Roy & de la Corone en destruccion du Roy

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15. **Ensement nous ordeinoms que touz les chief gardeyns des portz & chasteaux sur la mere ferraient mis & faitz en la fourme susdite, Et que ceux gardeins soient de la terre mesmes.**

16. **Et pur ceo que les terres de Gascoigne, Ditland & Descoce sont en peril destre perdues per defaute des bones ministres, nous ordeinoms que bones & suffisantz ministres soient mis a la gard faire en les dites terres en la fourme contenue en la second Article precheine.**

17. **Estre ceo nous ordeinoms que Viscountz soient desormes mis par la Chauceller & Treiorier & les autres de conseil qui ferraient presents. Et si Chauceller ne soit present soient mys par le Tresorer & Barons del Eschequir & par les Justices de Bank, Et que tieux soient mis & faitz qui soient covenables & suffisantz & qui eient terres & tenements dont il pussent respondre au Roy & au people de leur faitz & que nuls autres que tieux ne soient meis & que eux eient comission defouz le grant Seale.**

18. **Pour ceo que commune fame est & ovesque cemeinte de mounstrance ad este fait que diverse oppressions come delheritaunces, faux enditements & emprisonnements sur ce grevous raunceos & des autres moultz de maneres des grevaunces que Gardeyns, Bayliffs, Ministres des forestes & autres ont fait par colour de leur Baylies & de leur offices, des queles grevances le people que tant est grevez ne seose overtement pleindre ne leur pleintz faire en la Court le Roy, tant come ils sont en leur baillies & offices. Nous ordeinoms que des touz Gardeins, Bailiffs Ministres, des forestes que avant le temps le Roy qui ore est soleient estre remuables a la volonte le Roy, ausibien de ceux as queux leur baillies & offices sont voluntierment grantees a terme de vie, nuncountre esteant tieu grant come des autres leur baillies & offices soient seises en la main le Roy, Et que bones gentz & loiaux soient assignez Justices denquere sur les grevances avantdites, & de oier & determiner toutes les grevances & les pleints de touz i ceux qui devers les ditz Gardeins, Bailiffs, Ministres des Forestes suivre vodront pur le Roy ou pur eux mesmes solonc la ley & la custume de royaume, Et si avant come ley le seoffre soient les pleints termines entre cy & la Pask precheinavenir ou avant cy home poer & bone manere solonc ley, & si les ditz Gardeins, Bayliffes & Ministres soient trouvez coupables des grevances avant dites adonques soient remuez pur touz jours, & si non recient leur Baillies & Offices.**

Del Gardeyns
des Cynkports.
Membre. secun-
da.

De Ministres
faire en terres.

De Viscountes
faire en coun-
ties.

De Gardeyns
de forestes.

Et pur ceo que plusieurs gentz sont delheritez, teintes & destruitz par les fourvaines gardeins des forestes de cea Trent & de la, & par les autres ministres countre la fourme de la Chartre de la Foreste & encounter la declaracion que le Roy Edward-fiz le Roy Henry fist en la fourme que ensuyt cestavoir nous volouns & grantouns pur nous & pur nos heires que de trespas faitz en nos forestes de vert & de venison que les forestiers en qui baillies tieux trespas ferraient faitz presentment mesmes les trespas as procheinnes Swainemotes devant Forestiers, Verdours, Regardours, Agistours & autres Ministres de mesmes les forestes sur & tieux presentments devant les Forestiers, Verdours, Regardours, Agistours & autres Ministres avantdites par searment ausibien des Chevaliers come des autres prodes homes & loiaux & ne my suspcionons des parties veisnaux & plus procheinnes en tieu trespas seront issint presentez purra la verite mientz & plus pleinement estre enquis, & tiele verite issint enquis soient tieux presentments par commune accord & assent de touz les ministres avantdites solempnement afforcez & de leur seaux ensealez. Et si en autre manere soit nul enditement fait soit desormes nul ne soit pris nemprioonee pur vert ne pur venison, si ne soit trovez a main oeuvre, ou en la fourme avantdite enditez & adunke si lesse le Souverain Gardein de la Foreste a meinprise jusques al dire de la Foreste sans rien prendre pur la deliverance. Et si le dit Gardein faire ne le voile eir brief en Chancellerie que ancienement fut ordenee pur tieux enditez destre a meinprise jusques en Eyre. Et si le dit Gardein apres le dit brief rescue ne face tieux enditez sanz delay deliverer a mainprise sanz rien prendre dunque eir le Plantiff brief en Chancellerie au Viscount dattacher le Gardein devant le Roy a certaine jour a respondre per quoi il nad replein celui qu' est en si pris & le viscount appelez les Verdiers face deliverer celui que est pris per bone mainprise en la presence des Verdiers & les nouns des meinperneours face liverer a mesmes les verdiers a respondre en Eyre devant Justices. Et si le chief Gardein de ceo soit atteint soient agardeez as Pleintifs les damages au treble & le dit Gardein a la prison & reint a la volonte le Roy & mes ne soit en office le Roy & desormes soit escript a eux come as chiefs Gardeins de la Forest pur ceo que Justices ne devient il estre ne recordavoir forsque en Eyre. Et pur ce que home dit que les chiefs Gardeins des Forestes encounter la fourme susdite ont pris & leves fines, Amerciements, & raunceons, nous ordeinoms que les ditz Gardeins & les autres chiefs Gardeins rendent leur accomptes des prises susdites devant le Treiorier & le Barons d' Eschequir entre cy & le Noel prochain avenir.

Pur ceo que contre chose est que par l'examinement de Prelatz, Counts & Barons, Chivaliers & autres bones gentz du royaume trovez que Piers de Gaveston ad malmenez & mal conseilz notre Seigneur le Roy lad entice a mal faire en diverses maneres & deceivances en accoiant a luy tout le Tresor le Roy & lad esloigne hors du royaume en accraunt a luy roial poer & roial digonnee come en alliance faire degentz par serementz de vivre & morir ouisque li'encontre toutes gentz, & ceo par le tresor que il purchase de jour en jour enseignant sur lestat le Roy & de la Corone en destruccion du Roy

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Del Gardeyns
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Membre. secun-
da.

De Ministres
faire en terres.

De Viscountes
faire en com-
ties.

De Gardeyns
de forestes.

de cea Trent & un autre dela Trent & aussi un Escheatour de cea Trent & un autre dela, Chief Clerke le Roy en la commune Banke par le conseil & consent de son Baronage & ceo en Parlement. Et si aviegne par aucune aventure que il covient mettre aucuns des ditz Ministres avant ceo que parlement soit dunques le Roy permettre par le bon conseil que il averoit de li jésques au Parlement. Et issint soit fait desoremes des tieux Ministres quant mestier ferra.

15. Ensement nous ordeinoms que touz les chief gardeyns des portz & chasteaux sur la mere serront mis & fauz en la fourme susdite, Et que ceux gardeins soient de la terre mesmes.

16. Et pur ceo que les terres de Galcoigne, Dirland & Descoco sont en peril destre perdues per detaute des bones ministres, nous ordeinoms que bones & suffisantz ministres soient mis a la gard faire en les dites terres en la fourme contenue en la second Article precheine.

17. Estre ceo nous ordeinoms que Viscountz soient de formes mis par la Chauceller & Trezorier & les autres de conseil qui serront presents. Et si Chauceller ne soit present soient mys par le Trezorier & Barons del Eschequir & par les Justices de Bank, Et que tieux soient mis & faiz qui soient convenables & suffisantz & qui cient terres & tenements dont il pussent respondre au Roy & au peuple de leur faiz & que nuls autres que tieux ne soient meis & que eux cient comission desouz le grant Seale.

18. Por ceo que commune fame est & ovesque cemeinte de moustrance ad este fait que diverse oppressions come delheritaunces, faux enditements & emprisonements sur ce grevous raunceco & des autres moultez de maneres des grevaunces que Gardeyns, Bayliffs, Ministres des forestes & autres ont fait par colour de leur Baylies & de leur offices, des queles grevances le peuple que tant est grevez ne seose overtement pleindre ne leur pleintz faire en la Court le Roy, tant come ils sont en leur baillies & offices. Nous ordeinoms que des touz Gardeins, Bailiffs Ministres, des forestes que avant le temps le Roy qui ore est soleient estre remuables a la volonte le Roy, ausibien de ceux as queux leur baillies & offices sont voluntriement grantees a terme de vie, nouncountré esteant tieu grant come des autres leur baillies & offices soient seises en la main le Roy, Et que bones gentz & loiaux soient assignez Justices denquere sur les grevances avantdites, & de oier & determiner routes les grevances & les pleints de touz i ceux qui devers les ditz Gardeins, Bailiffs, Ministres des Forestes suivre vodront pur le Roy ou pur eux mesmes solonc la ley & la custume de royaume, Et si avant come ley le soeffre soient les pleints termines entre cy & la Pask precheinavenir ou avant cy home poet & bone manere solonc ley, & si les ditz Gardeins, Bayliffes & Ministres soient trouvez coupables des grevances avant dites adonques soient remuez pur touz jours, & si non recient leur Baillies & Offices.

19. Et

N. 19.
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ments de la
Foreste.

Et pur ceo que plusieurs gentz sont desheritez, reintz & destruitz par les lovuraines gardeins des forestes de cea Trent & de la, & par les autres ministres coudre la fourme de la Charrre de la Foreste & encountré la declaracion que le Roy Edward-fiz le Roy Henry fist en la fourme que ensuyt cestailavoir nous volouns & grantouns pur nous & pur nos heires que de trespals faitz en nos forestes de vert & de venison que les forestiers en qui baillies tieux trespals serront faitz presentent mesmes les trespals as procheinnes Swainemotes devant Forreftiers, Verdours, Regardours, Agistours & autres Ministres de mesmes les forestes sur & tieux presentments devant les Forestiers, Verdours, Regardours, Agistours & autres Ministres avantdites par searment ausibien des Chevaliers come des autres prodes homes & loiaux & ne my suspicionons des parties veisinaux & plus procheinnes en tieu trespals seront issint presente purra la verite mientz & plus pleinement estre enquis, & tiele verite issint enquis soient tieux presentments par commune accord & assent de touz les ministres avantdites solempnement afforcez & de leur seaux ensealez. Et si en autre manere soit nul enditement fait soit desormez a nul tenuz, & pur ceo que les chiefs Gardeins les forestes ne eant my la eite fourme tenuz jusques en cea nous ordeinoms que desormes nul ne soit pris nemprioonce pur vert ne pur venison, si ne soit trovez a main oeuvre, ou en la fourme avaunt dite enditez & adunke si lesse le Souverain Gardein de la Foreste a meinprise jusques al dire de la Foreste sans rien prendre pur la deliverance. Et si le dit Gardein faire ne le voile eit brief en Chancellerie que ancienement fut ordenee pur tieuz enditez destre a meinprise jusques en Eyre. Et si le dit Gardein apres le dit brief resceu ne face tieux enditez sanz delay deliverer a mainprise sanz rien prendre dunque eit le Plantiff brief en Chancellerie au Viscount dattacher le Gardein devant le Roy a certaine jour a respondre per quoi il nad replein celui qu'est en si pris & le viscount appelez les Verdiers face deliverer celui que est pris per bone mainprise en la presence des Verdiers & les nouns des meinperours face liverer a mesmes les verdiers a respondre en Eyre devaunt Justices. Et si le chief Gardein de ceo soit atteint soient agardeez as Pleintiffs ses damages au treble & le dit Gardein a la prisone & reinte a la volonte le Roy & mes ne soit en office le Roy & desormes soit escrit a eux come as chiefs Gardeins de la Forest pur ceo que Justices ne devient li estre ne recordavoir forsque en Eyre. Et pur ce que home dit que les chiefs Gardeins des Forestes encountré la fourme susdite ont pris & leves fines, Amerciements, & raunceons, nous ordeinoms que les ditz Gardeins & les autres chiefs Gardeins rendent leur accomptes des prises susdites devant le Trezorier & le Barons d'Eschequir entre cy & le Noel prochein avenir.

Pur ceo que coute chose est que par l'examinement de Prietz, Counts & Barons, Chivaliers & autres bones gentz du royaume trovez que Piers de Gaveston ad malmenez & mal conseillez notre Seigneur le Roy lad entice a malfaire en diverses maneres & deceivances en accoiat a luy tout le Tresor le Roy & lad esloigne hors du royaume en accreaunt a luy roial poer & roial dignitee come en alliance faire degentz par serementz de vivre & morir ouisque li encountré toutes gentz, & ceo par le tresor que li purchafe de jour en jour enseignant sur lestat le Roy & de la Corone en destruccion du Roy

N. 20.
De Piers de
Gaveston.

F

et

N. 15.
De plez tenir
en l'Eschequir.

Pur ceo que communes Berchantz & autres plusieurs du peuple sont resceuz de pleder a Leschequir ples de dette & de trespais par le reson qu'il sont avoues par les Ministres de la dite place plus avant que estre ne devoient dount les accomptes & les autres choses touchantz le Roy sont le plus delaiez, & ovesque ceo moltz gentz du peuple grevez, Nous ordeinoms que desormes ne soient tenuz ples en la dite ples del Eschequir, forsque les ples touchantz le Roy & ces Ministres que sont responsables en Leschequir par la reson de leur offices & les Ministres de meisme la place & pour & leur servants que tout le plus sont demourantz ouesque mesnengs eux en les lieux ou Leschequir demourt. Et si nul soit resceu par avouerie de la dite place de pledier en la dit Eschequir encontre la fourme suisdit eiet le empledez leur recoverier en parlement.

N. 16
De plez tenir
en la Maref-
chaux.

Ensement pur ceo que le peuple se sent moult grebez que Seneschau & Marechaux tiegnent moultz des ples que a leur office ne appendent & auxi de ceo que eux ne voient recevoir Attournez auxibien pur les Defendents come pur les Plaintiffs, Nous ordeinoms que desormes rescevent Attournez auxibien pur les Defendents come pur les Plaintiffs, & que il ne tiegnent ples de frantenement ne de dette ne de covenant ne de contract, ne nul commune plee des gentz du peuple fors tant soulement de trespais del houstiel & autres trespais faitz de deinz la verge & de contractes & covenantes que aucun del houstiel le Roy avera fait as autres de meisme loustiel & en meisme loustiel & nemy aillours, Et que nul play de trespais ne pledent autre que ne soit attache par eux avant que le Roy isse hors de la verge ou la trespais ferra fait, Et les plederont hastivement de jour en jour issint que il soient par pledez & terminez avant ceo que le Roy isse hors de les boundes de cele verge ou le trespais fut fait, Et si per cas dedeinz les boundes de cele verge ne poent estre terminez seissent tieux ples devant le Seneschall & le purchalier les plaintiffs par la commune ley ne desormes ne preigne le Seneschall consiance de dettes ne dau tres choses forsque des gentz del houstiel avantdit & encontre gentz del houstiel avantdit, ne nul autre plai ne tiegnent par obligation fait a la distres du Seneschall & des Marechalx ne que nul de loustiel ne qui suivent loustiel soient mis en Enquest devant eux forsque la ou les Plaintiffs & les Defendents sont du dit houstiel & des faitz faitz en meisme loustiel. Et si le seneschal & Marechal rien facent contre cest ordeinement soit leur fait tenuz pur nul. Et que ceux que se sentiront grevez contre la dite ordonnance eient bres en chancellarie pleable en bank le Roy & recoverent leur damages vers eux que tiegnent le play & que les ount tref en play par discretion des Justices euntz regard a leur purchale, costages, grevances & perts solonc la quantitee du trespais, Et mes ne soient en service le Roy.

N. 17
De office de co-
roner deinz la
verge.

Et pur ceo que abant ces heures moltz des felonies faitz de deinz la verge ount este despunies pur ceo que les coroners du pays ne le font pas entremys denquere de tieu manere des felonies de deinz la verge mes le Coroner del houstiel le Roy de quel issue nad my este fait en due manere ne les felons mis en exigendz ne utlegez ne rien de tiel felonie presentee en lire que est a grand damage le Roy & a meinz bone garde de sa pees, Nous ordeinoms que desormes en cas de mort de homme en office de Coroner append & les vewes des corps morts & as Enquestes de ceo faire soient mandez les Coroners du Pais

ou

ou des franchises par la ou les morts seront trovez qui ensement ove le Coroner del houstiel face l'office que append & le mette en son rouille, et ceo que ne purra mye devant le Seneschal estre termine pur ceo que les felons ne purront estre attachez ne trovez ne pur autre encheilon demoege le proces a la commune ley. Issint que les exigendes & les Utlagaries & les presentments de ceo faitz soient monstrez en lire par le Coroner du pais anfi come des autres felonies faites dehors la verge, mes pur ceo ne soit lessie que les Attachements ne soient faitz freschements sur les felonies faites fil peussent trovez.

Pur ceo que le peuple se sent moult grebez de ceo que gentz sont embandiz de tuer les gentz et robber per tant que le Roy par mauvais conseil leur donee silegeirment sa pees contre fourme de ley Nous ordeinoms que nul felon de fufif ne soit covert ne defendus desormes de nul manere de felonie par la Chartre le Roy de sa pees a lui grantee ne en autre manere, si noun en cas ou le Roy poet faire grace selonc son serement, & ceo par proces de ley & la custume de roiaume, & si nule Chartre soit desorenavant grantee & fait en autre manere a nuly rien ne vaile & pur nul soit tenu, et que nul appert mellefour encontre la Coronours & la pees de la terre par nuly soit eidez ne meintenuz.

N. 18.
De les Chartres
le Roy de sa
pees.

Pur ceo que moltz gentz sont delayez en la court le Roy de leur demand par tant que la partie allegge que les demandantz ne devient estre responduz sanz le Roy & auxint moltz de gentz grevez par les ministres le Roy encontre droiture des queles grevancez homme ne purra avoir recoverier sanz commune Parlement. Nous ordeinoms que le Roy tiegne Parlement une foiz per an ou deux foiz si mestier soit & ceo en lieu covenable, et que en meismes les Perlements soient les plesds que sont en la dite fourme dez laiez & les pledz la ou les Justices sont en diverses opinions recorder et terminez & en meisme la manere soient les billes terminez que liverez seront en Parlement si avant come ley & reson le demande.

N. 19.
De Parlement
tenir de an en
an.

Pur ceo que a toutes les foites lechange de moneye se fait el roialme tout le peuple est grantment grevez en moltz des maneres, Nous ordeinoms que quant mestier ferra & le Roy voille echange faire quil la face par commune conseil de son Baronaige, & ceo en Parlement.

N. 20.
De lechange
de moneye.

Ensement nous ordeinoms que touz les estatutz que sont faitz en amendment de la leie & au profit du peuple par les Auncestres nostre Seigneur le Roy soient gardez & maintenuz, si avant come estre devient par lei & reson. Issint que eux ne soient pas contraires a la grand Chartre ne a Chartre de la foreste nencontre les ordeinements par nous faitz. Et si nul Estatut soit fait coudre la fourme suisdite, soit tenuz pur nul, & tout outrement desaitz.

N. 21.
De touz esta-
tutz gardier.

Pur ceo que la ley de la terre & commune droit ount este sobent delayez par lettres isues dessus la privie seal le Roy a graunt grevance du peuple Nous ordeinoms que desormes la ley de la terre ne commune droit ne soient delayez ne destourbez par lettres du dit seal. Et si rien soit fait en nule des places de la court nostre Seigneur le

N. 22.
Que ley de ter-
re ne soit de-
layez par let-
tres du privie
seal.

N. 38.
De la grand
Chartre & la
Chartre de la
Foreſte.

Enſement nous ordeinoms que la grant Chartre de Franchiſes & la Chartre de la Foreſt, que le Roy Henry Fiz le Roy Johan fiſt ſoient tenuez en touz leur pointz, & que les pointz que ſont dotis en les dites Chartres ſoient eſclarez en le prochain parlement apres ceſti par laviſement de la Baronage & des Juſtices & des autres ſagez gentz de la leie, & ceſte choſe ſoit fait par ceo que nous ne avions mye en poer le faire le durant notre temps.

N. 39.
De ſerement
de Miniſtres.

Enſement nous ordeinoms que Chancelour, Treſozier, Chief Juſtices de lun Bank & de lautre, Chauncellour de Leſhequier, Treſorier de la Gardrobe, Senefchal del houſiel le Roy, toutes Juſtices, Viſcontes, Eſchetours, Conſtables, Enquerours a queu choſe que ceo ſoit & touz autres Bailliffs & Miniſtres le Roy ſoient jurez a toutes les fois quil receivent leur baillies & offices de gardier & tenir toutes les ordinaunces faites par les Prelatz Countes & Barons a ceo eſluz & assignez & cheſcun de les ſauz venir coudre nul point de les.

N. 40.
De gentz assignez
en parlement.

Enſement nous ordeinoms que en chacun Parlement ſoient assignez un Eveſque, deux Countes & deux Barons doier & terminer totes les plaintes de ceux qui pleindre ſe vodront des miniſtres le Roy queux quil ſoient qui ieront contrevenuz les ordinaunces ſuſdites, Et ſi les dites Eveſque Countes & Barons ne puiſſent touz entendre ou ſoient deſtourbez de oier & terminer les dites plaints ad unque le ſacent trois ou deux de eux & ceux qui ſont trovez contrevenuz encontre les dites Ordenances ſoient puniz devers le Roy & devers les Pleintiffs par la deſcretion des dites assignez.

N. 41.
De commune
ordenance publiere.

Enſement nous ordeinoms que les Ordenances ſuſdites ſoient maintenuz & gardez en tous leur pointz & que notre Seigneur le Roy les ſace mettre deſous ſon grant ſeale & envoyer en cheſcun Counte Dengleterre a publier tenir et fermement garder auſſibien deinz franchiſes come dehors. Et en meſme la manere ſoit maunde au Gardein de Cyak Portz quil par mye totes ſa baillie les ſace publier, tenir et garder en la fourme avantdite.

Nous meſmes celes ordeinances a nous monſtrees & le Lundy preſchein devant le feſt de ſeint Michel dreinpaſſe publiez agreans acceptoms et affermons et voloms et grantoms pur nous et pur nous heires que toutes les dites ordinaunces et cheſcune de les faites, ſolone la fourme de nos lettres avantdites, ſoient publiez par tout notre roiaume et deſoremes fermement gardez et tenuz. En teſmoignance de queux choſes nous avoms fait faire ceſtes nos lettres patents donez a Loundres le quint jour Doctobre lan de notre regne quint.

Finis de Anno 5^o Ed. 2^{di}.

Le

Le Roi au Viſconte Druerwyke ſaluz. Come Monſeur Peres de Gaſſton Counte de Cornwall, nadgueres fuſt exile hors de notre Reaume contre les leis & les uſages des memes le Roiaume as queus garder et maintenir nous ſumes tenus par le ſerment que nous ſeiſmes a notre coronement en le quel exil il fu nome autre que bon & leal & meſmes celui Counte par notre maundement ſeit ja revenu a nous en dit Reaume preſt deſter a droit devant nous a touz que de rien li vodront chalenger ſolon les leis & les uſages avantditz par quei nous li tenoms bon & loial & a notre ſei & a notre pees & unques a autre ne li teniſmes nous de notre real poer vous commandoms que por tel li teignuz & ceſte choſe facez par tote votre baillie publier. Don a Everwyk le xviii jour de Janevoir.

Au tieles lettres ſont maundes as cheſcunes Viſcontes Dengleterre, t'a a remembrer que le dit forme fu ſete par le Roy meſmes & le ſeal et les breves par lin liure a leſpignuel pur ſealer le jour et le lieu contentez es ditz breves et il tantost quant les breves furent ſeales en ſa preſence les priſt en ſa maine et les miſt ſur ſon lit.

Rex vicecomiti Ebor. Salutem. Quia inter cerera noſtris curis incumbencia, corditer affectamus, et in ſummis deſideriis reportamus quod pax n. ſtra ubique infra regnum et poteſtatem noſtram in violabiliter obſervetur, et quod omnes leges et conſuetudines que in eodem Regno temporibus progenitorum noſtrorum quondam Regum Anglia uſitate fuerunt et approbate, ac etiam quod omnes ordinationes nuper ſacte ad honorem Dei & ſancte Eccleſie & noſtrum & ad commodum noſtrum & populi regni ejuſdem que in dampnum ſeu prejudicium noſtri aut corone noſtre non redundant & legibus & conſuetudinibus ſupradictis non contrariantur, teneantur & obſerventur, tibi precipimus, firmiter injungentes quod premissa omnia in pleno Comitatu tuo nec non in civitatibus, Burgis, villis mercatoris et locis aliis quibuscunque in eodem Comitatu tam infra libertates quam extra, ubi expedire videris facias publice proclamari, et hec ſicut teiſum indempenſare conſervare voveris nullo modo omittas. Teſte Rege apud Eboracum xxvii die Januarii. per iſſum Regem.

Eodem modo mandatum eſt ſingulis Vicecomitibus per Angliam.

Rex omnibus ad quos &c. ſalutem, Sciatis quod cum quedam ordinationes per Prelatos, Comites, & Barones regni noſtri ad id electos nuper ſacte fuiſſent, et per nos ſub certa proteſtatione conceſſe viz. quod ſi in dictis ordinationibus alique nobis dampnoſa ſeu prejudicialia ſeu illas contra formam commiſſionis eis per nos in hac parte ſacte contigerit inveniri ea pro non conceſſis & non confirmatis haberentur, reſervata nobis in eadem proteſtatione poteſtate huiusmodi dampnoſa & prejudicialia per bonum conſilium dictorum ordinatorum & aliorum corrigendi, reformandi, prout in Inſtrumento publico inde conſecto plenius continetur. Nos de circumſpectionis induſtria ac fidelitate probata venerabilis patris. J. Norwycen Epilſcopi, et dilectorum et fidelium noſtrorum Cuidonis Ferre, Johannis de Crumtwell. Hugonis de Aldeley, Willielmi Deyncourt, Henrici Spigurnel, Henrici le Scroop militum, ac dilectorum Clericorum noſtrorum Magiſtrorum Thome de Cobham. Roberti de Pikeriſg, Walteri de Thorp, Gilberti de Middleton. Johannis Fraunceys. & Andree

N. 53.
Claus 5. Ed. 2.
m. 15. Dors.

N. 54.
ibidem.

N. 55.
Pat. 5. Ed. 2.
part. 2. m. 17.
incus. Rippla-
cita par. 6.
530.

runt obedire, tunc aliis secum venientibus inhibitionem ex parte nostra factam in forma superius annotata. In cujus, &c. Teste Rege apud Westm. iii. die Septembris.

Littera Comitiss Lancastrie pro miraculis Domini Roberti Archiepiscopi.

N. 59.
Regist. Eccles.
Christi Can-
tuar. f. 227.

A Gentz de honorable religion et nos chers amis le Priour et Convent del Eglise de Centerbire **Thomas Counte de Lancastre et de Lecestre** Seneschal Dengleterre, saluz, et cheres.

Sires nous vous prions come avant les heures vous avons prie que vous voilles *tesmoigner* per voie notoire et per vos lettres patentes queux *miracles* Dieux *oeuvre* par *Lercevesque Robert de Canterber* qui darrein *seul*, et ad *oeuvre* par ly ausi bien en *sa vie* come apres *sa mort*, Et les *miracles* que pendent en *escriit* devant sa tombe. Et vous envoyons Sires nostre ame *Clerk Mestre Rauf de Houghton*, a qui Sires vous prions que vous voillez donner credence des choses que li vous dira de par nous touchantz la dite besoigne. Sires nostre seigneur vous gard. Don a nostre *Chapel* de Pountfir. le 7. jour daveril.

There is no Answer to this Letter to be found in the Register noted in the Margin, nor any Account of the Archbishop's Miracles.

N. 60.
Rot. Pat. 8.
Ed. 1. parte 2.
m. 12 Dors.

REX Ballivis, Ministris et omnibus Ballivis et fidelibus suis de Comitibus Stafford et Salop, tam infra libertates quam extra ad quos prentes Littere pervenerint, salutem. Cum nuper assignavimus dilectos et fideles nostros *Johannem Giffard de Chylington, et Johannem de Perton* in dicto Comitatu *Staff. willielmum de Lodelome, et Reginaldum Charles* in dicto Comitatu *Salop.* ad vicessimam nobis nuper in Parlamento nostro per *Communitates* Comitatum Regni nostri concessam assidend. et taxand. juxta formam ipsis inde ex parte nostra liberatam et ad pecuniam de predicta vicesima provenientem colligend. et levand. et ad Scaccarium nostrum certis terminis liberand. unam viz. medietatem in Quindena sancte Trinitatis proximo preterita et aliam medietatem in Crastino Exaltationis sancte Crucis proximo sequente, ac iidem *Johannes, Johannes, willielmus, et Reginaldus* nobis significaverint, quod quidam ipsos quominus vicissimam predictam ad opus nostrum Levare possunt impediunt, preteritentes dictam vicissimam nobis per *Communitates* predictas sub certis conditionibus concessam fuisse, viz. quod nos *magnam Cartam de libertatibus Anglie, Cartam de Foresta, et ordinationes per Prelatos, Comites et Barones de Regno nostro factas et per nos approbatas observari ac Perambulationem de Forestis nostris fieri faceremus*, et quod nos premissa nondum fecimus executioni debere demandari, super quo cogimur admirari vehementer, *presertim cum nos Cartas et Ordinationes predictas in omnibus suis Articulis observari mandaverimus et quosdam fideles nostros assignaverimus in singulis Comitibus Regni nostri ad Perambulationes de Forestis nostris predictis faciend.* Nos tam super impedimento predicto, quam super nominibus impedimentum certiorari volentes, Assignavimus dilectum Clericum nostrum *Adam de Limbergh* ad informand. se una cum dictis Collectoribus super premisis et ad inquirendum si necesse fuerit per Sacramentum proborum, et legalium hominum partium illarum, per quos rei veritas melius sciri poterit, super omnibus et singulis Articulis premissa contingentibus plenius veritatem et ad nos inde distincte et aperte certificandos. Et ideo vobis mandamus quod eidem

Ad

Ade et Collectoribus predictis, in omnibus et singulis premisis sitis intendentes, consulentes, et auxilantes, quociens et quando per ipsum *Adam* ex parte nostra super hoc fueritis premuniti: Mandavimus enim vicecomiti nostro *Comitatum* predictorum quod eidem *Ade et Collectoribus* in premisis pareat et intendat, et coram eis ad certos dies et loca quos idem *Adam* eidem vicecomiti scire faciet venire faciet, tot et tales probos et legales homines de Balliva sua per quos, &c. Teste Rege apud Thunderle viii. die Junii.

Per ipsum Regem & Concilium.

FAit a remembre que come nadgaires certains *Prelatz, Countes et Barons* de la volonte nostre Seigneur le Roy et assent des *pluours grantz* du Roialme et autres du conseil le Roy lors estauntz a *Norhampton* fuissent alez devers le Counte de Lancastre de parler et trerer oveques lui sur le profit et lonur nostre Seigneur le Roy et de son Roialme, et en la parlannee et tretien entre les ditz *Prelatz, Countes et Barons* et le dit Counte de Lancastre parle et trete fust, que *Evesques, Countes et Barons* fuissent demorantz devers nostre Seigneur le Roy pur lui conseiller es besoignes que li touchereient tantqz en son prechein Parlement et de ceo et dautres choses endenture fait en la forme que sensuit. Ceste endenture tesmoigne coment les honorables *Pieres L'erevesque de Dycelyz, et les Evesques de Norwicz, Ely, et Cicestre, et les Countes de Pembroke, et Arundel, Monsieur Roger de Mortimer, Monsieur Johan Somery, Sire Bartholm. de Badlesmere, Monsieur Rauf Basset et Monsieur Johan Botetourt* de la volente et lassent nostre dit Seigneur le Roy, unnt parle od le Counte de Lancastre sur les choses touchantes le profit nostre Seigneur le Roy et du Roialme en la forme que sensuit, cest a savor que les *Evesques de Norwicz, Cicestre, Ely, Salesbury, saint David, Kardail, Hereford, et worcestre, les Countes de Pembroke, Richemund, Hereford et Arundel, Sire Hugh de Courteny, Sire Roger de Mortimer, Sire Johan de Segrave, Sire Johan de Grey, et un des Banretz* le Counte de Lancastre quil vouldra nomer, por un quartier, demoergens pres de nostre Seigneur le Roy tantqz a prechein Parlement, illint que deux des *Evesques, un des Countes, un des Barons et un des Banretz* le dit Counte de Lancastre au meins demoergent pres du Roy adessement, et que tutes choses que a charger facent, ce porront et devront faire sanz Parlement, se facent par lour assent, et si autrement soient fait, soit *tenuz por nient et adrese* en Parlement, par *agard des Peers*, et routes choses covenables soient redrefleez par eux et au Parlement soient esfluz de eux et des autres qui deivent demorer pres de nostre Seigneur le Roy par *quarters*, solonc se quil serront esfluz et assigne en Parlement, a faire, et conseiller nostre Seigneur le Roy en la forme avandite. Et les suiditz *Prelatz, Countes et Barons* de la volente et lassent nostre Seigneur le Roy unt *enpris* que le Roy fra au dit Counte de Lancastre et a ses gentz et ses meignes reles et acquitances de totes maneres de *felonies et trespass* faitz countre sa pees, tantqz au jour de *seint Jak* cest an, et que les *chartres de reles et acquitances* soient simples et sanz condicion, et si meillur fuerre pult estre trove por eux au dit prechein Parlement soit faire a eux, et il lukes *asferme* devant nostre Seigneur le Roy, et son *Barnage*. En le avant dit Counte de Lancastre ad graunte quil fra reles et

N. 61.
Claus. 12. Bd.
2. m. 22. Dors
Rileys placit
parl. f. 560.

ac

ipſum Dominum Regem quod ſcrutatis rotulis Domini Regis E. paris Domini Regis nunc de Cancellaria ſua de anno predicto deportare faceret hic in Parlamento, &c. recordum et proceſſum predicta; qui quidem Cancellarius poſtea recordum et proceſſum predicta protulit hic in hec verba. *Placita Corone* coram Domino Edwardo Rege filii Domini Regis Edwardi tenta in preſentia ipſius Domini Regis apud Pontem itatum die Lune proximo ante ſe. *Annuntiationis beate Marie Virginis anno regni ſui quintodecimo.* Cum Thomas Comes Lancaſtr. capius et predictionibus homicidiis incendiis depredationibus et aliis diverſis felonis ductus eſſet coram ipſo Domino Rege preſentibus Edmundo Comite Kanc. Johanne Comite Richemond, Adamaro de Gaſentia Comite Pembr. Johanne de Clarencia Comite Surr. Edmundo Comite Arundel, David Comite Athel, Roberto Comite Daneges, Baronibus & aliis Magnatibus regni, Dominus Rex recordatur quod idem Thomas homo ligens ipſius Domini Regis venit apud Burton ſuper Trentam ſimul cum Homfrido de Bohun nuper Comite Hereford proditoris Regis et regni invento cum vexillis explicatis apud Pontem Burgi in bello contra Dominum Regem et ibidem interfecto et Rogero Damory proditore adjudicato & quibſdam aliis proditoribus & inimicis Regis & regni cum vexillis explicatis ut de guerra hoſtiliter reſiſtebat & impedivit ipſum Dominum Regem homines & familiares ſuos per tres dies continuos quo minus Pontem dicte Ville de Burton tranſire potuerunt prout debuerunt, & quosdam homines ipſius Domini Regis ibidem felonice, interfecit, ob quod Dominus Rex propter predictam malitiam & reſiſtentiam dicti Comitis & aliorum reprimend. & pro tranquillitate & pace regni & populi et iure Corone ſue regie manutend. & ad repellend. et amovend. vim predictam ſeditione taliter congregatam queſivit tranſitum aliunde ultra aquam de Trente et potenter exinde equitavit verſus predictos Comitem & alios, et predictus Thomas Comes hoc perpendens ſimul cum aliis predictis proditoribus ut proditor et inimicus Regis et regni poſuit ignem in Villa de Burton predicta et partem domorum et bonorum ejuſdem Ville felonice combuſit et extunc predictus Comes ſimul cum aliis predictis proditoribus exiit Villam predictam uſque in Campum ibidem vexillis explicatis et acies ſuas bellicolas direxit hoſtiliter ad debellandum ipſum Dominum Regem contra homagium fidelitatem et ligeantiam ſuam quibus eidem Domino Regi erat aſtrictus expectando adventum Domini Regis in eodem campo, et ſuper hoc cum dictis Thomas Comes perpendiſſet ipſum Dominum Regem venire et ipſis appropinquare cum magna potentia, idem Thomas Comes ſimul cum aliis compreditoribus ſuis predictis conſuſ poſuit ſe in fugam et fugit et ſic fugiendo Domino Rege ipſos potenter proſequente fecit diverſas depredationes & roberias, quoniam idem Thomas Comes ſimul cum predictis proditoribus cum equis et armis ac vexillis explicatis venit ad pontem Burgi ubi quidam fideles Domini Regis, plenam poteſtatem a Domino Rege habentes ad reſiſtendum inimicis et proditoribus Domini Regis modis et viis omnibus quibus poſſint, pro Domino Rege interſuerunt, et predictus Thomas Comes ſimul cum aliis proditoribus cum equis et armis et vexillis explicatis inſultum fecit hoſtiliter in predictos fideles Domini Regis ibidem exiſtentes et quosdam de ipſis fidelibus Domini Regis felonice interfecit et eos debellavit, quouſque idem Thomas

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mas Comes ſimul cum aliis proditoribus predictis ibidem conſuſus captus fuit et quidam ex illis proditoribus capti et quidam interfecti fuerunt et quidam fugam fecerunt, et ſic non remanſit in predicto Thoma Comite quin ipſe ſimul cum aliis proditoribus ſuis ipſum Dominum Regem ſuperaſſet et deviciſſet. Que quidem preditiones homicidia combustiones depredationes debellationes hoſtiles cum equis et armis et vexillis explicatis manifeſta ſunt et notoria et nota Comitibus Baronibus et aliis Magnatibus et populo regni. Et ideo conſideratum eſt quod predictus Thomas Comes pro predicta preditione trahatur, et pro predictis homicidiis depredationibus incendiis et roberis ſuſpendatur, et pro predicta fuga in hac parte decapitetur. Et ſuper hoc licet predictus Thomas Comes temporibus retroactis nequiter et malicioſe contra homagium et fidelitatem et ligeantiam ſuam pluries male ſe geſſerit et habuerit verſus Dominum Regem, ſcilicet cum Dominus Rex habuiſſet apud Novum Caſtrum ſuper Tynam victualia equos, & armaturas, jocalia & alia diverſa bona ad magnam ſummam & quantitatem, que quidem bona predictus Thomas Comes cum equis et armis et magna multitudine armatorum cepit, depredavit & aſportavit, quam quidem depredationem et tranſgreſſionem ejuſdem, Dominus Rex de gratia ſua ſpeciali remiſit & pardonaſcit predicto Thoma Comiti & aliis malefactoribus ejuſdem depredationis ad attrahendum propoſitum ipſius Thome Comitis in melius, ac in ſuper predictum Thomas Comes collegatus ſibi diverſis hominibus vi armata venit ad diverſa Parlamenta Domini Regis & pluries impedivit ipſum Dominum Regem tenere Parlamenta prout ad ipſum & coronam ſuam tenere pertinebat, et pluries ad huiusmodi Parlamenta juxta mandata Domini Regis venire non curavit, ſed inobedienter contempſit ac etiam diverſas congregationes & conventiculas illicitas contra Dominum Regem ſepius fecit per loca diverſa & contra prohibitionem Domini Regis. Item cum plures malefactores & pacis Domini Regis perturbatores quos dictus Thomas Comes ſibi attraxerat & colligaverat homicidia depredationes & alias diverſas felonias feciſſet per quod iudicium mortis ſubiſſe meruerunt, & idem Thomas Comes pro manutentione & receptamento eorundem malefactorum conſimile iudicium ſubiſſe meruit ſecundum legem & conſuetudinem regni. Item cum Thomas Comes poſtea veniens ad Parliamentum Domini Regis tentum apud Eborum cum magna multitudine armatorum induxit Dominum Regem ad pardonandum ſectam pacis ſue verſus ipſum & malefactores predictos in premiſſis uſque circiter numerum mille perſonarum, quoniam idem Thomas Comes prius juraverat de quibuſdam ordinationibus tenendis ne Dominus Rex ſectam pacis ſue remitteret in huiusmodi caſibus emergentibus de morte hominis. Item cum Dominus Rex pro attrahendo ipſum Comitem in bonum ut predictur ei toto poſſe ſuo contrariam diverſa dona magna de terris domini & libertatibus obtuliſſet per plures vices et quedam dona diverſas gratias & pardonationes per Cartas ſuas eidem Thome Comiti ſeciſſet, idem tamen Comes totis viribus contra Dominum Regem rebellis extitit & inobediens ſemper in malitia ſua facienda perſeverans. Item idem Thomas Comes miſit quosdam Milites de familia ſua ad Civitatem Eborum ad attrahendum communitatem ejuſdem Civitatis & cuſtodiam ejuſdem in manu ipſius Comitis, ac etiam idem Thomas Comes regalem poteſtatem diverſimode ſibi uſurpavit &

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† i.e. The Robberies and Spoils, they committed in their flight, and ſetting upon, and Killing the Kings ſubjects at Burgh Bridge.

uſur-

sum inde arrenavit seu ad responsionem posuit prout moris est secundam legem &c. et sic absque arenamento et responsione idem Thomas errantice et contra legem terre tempore pacis mortis extitit adjudicatus: unde cum notorium sit & manifestum quod totum tempus quo impostum fuit eidem Comiti predicta mala et facinora in predictis recordo et processu contenta fecisse et etiam tempus quo captus fuit et quo dictus Dominus Rex pater &c. recordabatur ipsum esse culpabilem &c. et quo mortis extitit adjudicatus, fuit tempus pacis, maxime cum per totum tempus predictum Cancellaria et alie placee Cur. Domini Regis aperte fuerunt et in quibus lex cuiuscumque fiebat prout fieri consuevit, nec idem Dominus Rex unquam in tempore illo cum vexillis explicatis equitabat, predictus Dominus Rex pater &c. in huiusmodi tempore pacis contra ipsum Comitem sic recordari non debuit nec ipsum absque arenamento et responsione mortis adjudicasse. Dicit etiam quod erratum est in hoc quod cum predictus Thomas Comes fuisset unus Parium et Magnatum regni, et in Magna Carta de libertatibus Anglie continetur quod nullus liber homo capiatur imprisonetur aut disseisatur de libero tenemento suo vel libertatibus seu liberis consuetudinibus suis aut utlagetur aut exulet nec aliquo modo destruat, nec Dominus Rex super ipsum ibit nec super eum mittit nisi per legale iudicium parium suorum vel per legem terre, predictus Thomas Comes per recordum Regis ut predictum est tempore pacis errantice mortis fuit adjudicatus absque arenamento seu responsione seu legali iudicio parium suorum contra legem &c. et contra tenorem magne Carte predictae, unde petit errores predictos corrigi et predictum iudicium tanquam erroneum annullari &c. et ad hereditatem suam ut frater & heres ipsius Thome admitti &c. Et quia inspectis et plenius intellectis recordo et processu predictis ob errores predictos et alios in eisdem recordo et processu compertos consideratum est per ipsum Dominum Regem Proceres Magnates et totam communitatem regni in eodem Parlamento quod predictum iudicium contra predictum Thomam Comitem redditum, tanquam erroneum revocetur et annulletur, et predictus Henricus ut frater et heres ejusdem Thome Comitis, ad hereditatem suam petend. et habend. debito processu inde faciendo prout moris est admittatur, et habeat brevia Cancellario et Justiciariis in quorum placeis dicta recordum et processus irrotulantur quod eadem recordum et processus irritari faciant et annullari &c. Nos autem ad maiorem securitatem ipsius Henrici predicta recordum et processus tenore presentium duximus exemplificand. In cujus &c. Teste Rege apud Ebor' tertio die Martii.

N. 63.
Claus. 16. Ed.
2. m. 2. Dors.

REX venerabili in Christo patri Stephano eadem gratia Episcopo London. salutem. Auribus nostris intonuit, quod moleste gerimus quod plerique de populo Dei vestro commisso regimini diabolica fraude decepti ad quandam tabulam in ecclesia vestra Sancti Pauli London existentem in qua statue, sculpture, seu imagines diversorum & inter cetera Effigies Thome quondam Comitis Lancastrie inimici & rebelles nostri, sunt depicte, statue accedentes, eam absque auctoritate Ecclesie Romane tanquam rem sanctificatam colunt & adorant, asserentes ibi fieri miracula, opprobrium totius Ecclesie, nostri & vestri dedecus, & animarum populi

puli predicti periculum, manifestum ac perniciosum exemplum aliorum: quodque vos scientes abusiones huiusmodi in populo vobis ^{vigere eas connivendo fieri permisistis, quin potius causa questus seu turpis lucri fieri dissimulastis, de quo non mediocriter conturbamur.} Vobis igitur mandamus firmiter injungentes quatenus premissis deliberatione provida penitatis advertentesque quod dicta Ecclesia de nostro patronatu existit, quodque vos ratione fidelitatis nobis prestite tenemini honorem nostrum velle salvare, & nostrum dedecus declinare, dictum populum ne ad tabulam predictam accedere, orationes, oblationes, seu alia ad cultum divinum tendentia absque auctoritate ecclesie Romane ibidem facere presumant, modis omnibus cohibeatis, prout ex officii vestri debito ad vos juxta canonicas sanctiones noveritis pertinere. Taliter vos habentes in hac parte quod Dei & nostram indignationem evitare possitis, & populus predictus per vestre doctrine prudentiam, salubriter instructus, a predictis abusionibus penitus desistat, & vestre laudis preconium in eodem populo dilatetur ac conceptum erga vos & ecclesiam vestram predicam benevolentiam merito continuare debeamus. Et quid super hiis facere decreveritis nobis per vestras literas absque mora dispendio rescribatis. Teste Rege apud Eborum vicefimo octavo die Junii.

Eodem modo scribitur Decano & Capitulo Ecclesie Sancti Pauli London mutatis mutandis.

SANCTISSIMO in Christo patri domino Johanni divina providentia Sacro-Sancte Romane ac universalis Ecclesie Summo Pontifici, Comarus eadem gratia Rex Anglie, Dominus Hibernie & Dux Aquit. devota pedum oscula beatorum. Cum ad extollenda condignis laudibus Sanctorum merita, & veneratione celebri recolenda, cunctis fidelibus sit eo frequentius insistendum quo per ipsorum suffragia placato summo Iudice, peccatorum remissio facilius impetratur, ex hac pia meditatione, non autem ex sanguinis vel carnalitatis affectu, Apostolice celsitudini, cui huiusmodi iudicandi potestas est divinitus attributa, publicam humiliter presentamus letitiam ac effusam in Ecclesia Dei Divini muneris largitatem. Ecce Dominus Deus noster, qui in sanctis suis semper est mirabiliter gloriosus sidus novum miri luminis splendore conspicuum producentisque celitus multiplicis pacis radios salutare, felicitis videlicet recordationis dominum Thomam quondam Comitem Lancastrie ipsumque consanguineum carissimum in Anglia suscitavit, qui dum rebus agebat humanis, honestus exiit, affabilis, & benignus, iustus, providus & fidelis, pie compaciens & misericorditer intelligens super pauperes & afflictos, ac divini nominis amore succensus & in soliditate fidei confirmatus, quadam floruit prerogativa constantie singularis, nam statutis & ordinacionibus regni Anglie secundum Deum pro utilitate reipublice & defensione libertatis Ecclesie, digesto regni consilio rationabiliter promulgatis, juratus corporaliter & astrictus promissam Deo fidem inviolabiliter tenuit, & insurgentes ex adverso Regis & Regni perfidos seductores zelo justitie corripuit magnanimitate & contrivit, propter quod ut in mari magno ventis & procellis nimis et indignationibus expositus, oblocutionibus et mendaciis

N. 64.
Rot. Rom. 1.
Ed. 3. no. 15.

attritus, et plerumque fuit affectus blanditiis, nec cessit adversi-
tutibus, nec peccatorum oleo mulcebatur: set tanquam rota re-
gens et dirigens indirecta, inceptum sue navigationis continua-
bat incessum, *conficiens semper de superni Gubernatoris auxilio*, et
demum post plurima atque longa que sic in puritate spiritus et
spe celestis retributionis peregit certamina, iustus ab iniustis ca-
pitalem devore subiit sententiam, et sic in Domino feliciter ab-
dormivit, qui jam velut fluvius de loco voluptatis ad irrigandum
egrediens paradilum in partes divisus terram Anglie *sancti sui*
sanguinis effusione rubricatam, rore celesti temperat salubriter &
secundat, dum ad piam ejus invocationem tot gloriosa supra natu-
ram divinitus fuit miracula & insitaia satis remedia, favente Deo,
per ipsius preces & merita conceduntur. Super quo fama celebris
conscendens ex manifestis iudiciis laudabiliter in excelsum, de-
votionem populorum ad ipsius tumulum in non modica multi-
tudine confluentium in Domino confortat plurimum & accendit.
Ne igitur tanta lucerna diutius lateat sub modio, set super can-
delabrum posita, lucem prebeat ampliozem, *sanctitatem vestram*
cui tantum negotium credimus divinitus reservatum, humiliter quo
possumus, exoramus, quatinus tamam tam publicam quam vos
verisimiliter latere non credimus, ex hiis nostris scripturis si pli-
cuerit assumentes & ad inquirendum primo canonice de veritate
premissorum aliquibus viris idoneis auctoritatem impendentes
Apostolice potestatis, circa ipsum probatis, que sufficere poterunt
in hac parte ad Dei honorem & decorem Ecclesie exequi dig-
nemini quod vestra decreverit sanctitas opportunum: Digne
namque venerari debet ab hominibus, quem Christus tanta de-
coravit gloria sanctitatis pro cuius quidem prosecutione negotii,
dilectos nostros *Magistrum walterum de Burle* sacre pagine *profes-
sorem*, Dominum *willielmum Trussell militem*, ac magistrum *Jo-
hannem de Thoresby Clericum* vestre beatitudini recommendamus
& mittimus ad expeditionem congruam premissorum. Eterni-
tas illa a qua fluunt tempora & momenta, vobis multiplicet
successus prosperos et longevos. Dat' London ultimo die men-
sis Februarii.

N. 66.
Ibm. no. 15.

Pape Rex &c. celestis altitudo consilii Electorum merita tam
misericorditer quam iuste discernens, multitudinem dulcedi-
nis sue absconditam multifarie depromens, disponit mirifice de
mercede. Ecce desiderantissime pater quod felicis memorie Robet-
tus nuper Cant' Archiepiscopus qui super fidei & veritatis funda-
mento firmatus pressuras varias, contumelias & injurias pro ipsa
veritate sustinuit, disponente veritate que Deus est, *varius mira-
culorum jam fulget insignia*, ut vite ipsius veritatem, virtutum,
& opum veritas manifestet, hec equidem attestetur ipsius in
carne conversacio, in curam sanctitatis vestre satis nota. *Hec*
probat languida innumeris sanis restituta. hec referimus, & de-
serunt in vestre sanctitatis notitiam Prelati & Proceres regni nos-
stri, supplicantes humiliter & devote quatinus ut lapidem tam pre-
tiosum, ab hominibus reprobatum, a Deo autem electum, & vestris
jam temporibus pia Dei miseratione revelatum, ascribere dignetur
testitudo vestra Cathalogo sanctorum venerando. Conserve &c. Dat'
apud Westmonast. octavo die Martii.

Rex

R EX as touz ceux as queux cestes lettres vendront, saluz.
Nous avoms regardez une endenture faite par le Priour et
le Covent de Pontfreit perones del eglise de Pontfreit et les
Burgeis de meisme la ville en les paroles que sensuient: Acorde
est et assentu devant nostre Seigneur le Roy et ma Dame la Roigne,
et le Counte de Lancast. par le Priour et le Covent de Pontfreit
personnes del Eglise de Pontfreit, & les Burgeis de meisme la vil-
le la ville de la Pontecoste que Johan de Ipre Heremite demoege
au Terre on le Noble Counte de Lancastre fuit mis a la mort
Accreaunt & purchaceant les almoignes et les byen faitz quil
purra Aperfaire une Chapelle illoque, Et aussint quil y demurge
un Clerk que ma Dame la Roigne et le dit Counte vodront as-
signer oveique un Moigne que le dit Priour voudra assigner, a
receiure et despendre a la fesaunce de la dite Chapelle les de-
ners que vendront au dit Terre par apport ou de donor ou en
autre manere que les ditz Priour et Covent ount graunt a meisme
l'overaigne et de ceo le dit Clerk rendra loial account. Et aus-
sint acorde est quil y eyt un trunk ou buiste a trois loks que de-
merge au dit Terre pur recevoir le dit apport et les offrendres
que illoesque vendront dount une chief demerge devers le
Moign, que serra depute par le Priour & un autre chief devers
un Burgeis de meisme la ville et la tierce chief devers le dit Clerk
le quel Trunk on buiste soit remue de nuyt en nuyt si mestier
soit el mys en saunete en la dite Priorie de souz la garde de eaux
trois et chescun jour report au dit terre et chascune Symeigne
une foiz ou deux voide en la presence de eaux trois et les de-
vers liveres au dit Clerk par endenture a paier as ouerours par
la survue de eaux et que la Counte de meismes les despens
soit prise chescune Symeigne par les ditz Moigne et Burgeis que
prendrent devers eaux la somme de la Semaigne en une roule et si
par cas rien demoege outre les despens a fin de chescune symeigne
soit Countee et mys en depos en la Priorie de souz les Seals
de eaux trois a rependre come il verront mestier, pur les dites
oueraignes et prendra le dit Clerk que fra les acountes et les
despens iiijd. le jour et le Heremite iiid. du dit apport. Et a fin
del an soit lacounte oy par ascun que serra depute par ma Dame
la Roigne et par le dit Counte & que meisme celi que serra assigne
Auditour eit poer de remuer chescune de eaux fil troesse defaute
en eaux et mettre autre convenable en lour lieu Sauve le Moigne
que serra remue et assigne a la volente de dit Priour pur sau-
ver el garder le stat & les droitz de lour eglise avandite en tes-
moignance de queu chose ma Dame le Roigne le dit Counte et le
dit Priour a cestes endentures entrechangeable ount mys lour
seals. Done a Euerwik la veille de la Pentecoste avandite lan de
reigne nostre Seigneur le Roy, Edward primer. Nous totes les
chofes contenues en la dite endenture et chescune de ycelles
quant que en nous est ratefums, approvoms, et confermoms sicome
en meisme celle endenture plus pleinement est contenuz en tes-
moignance de queu chose nous avoms fait faire cestes nos let-
tres ouertes. Don a Euerwik le quint jour de Jun.

N. 66.
Pat. 1. Edw.
3 parte 2. m.
14.

De

De inquirendo de illis qui fingunt Miracula fieri circa corpora apud Bristol suspensa.

N. 67.
Rot. pat. 17.
Ed. 1. parte 1.
m. 12. Dors.

REX dilectis & fidelibus suis *Johanni de Docusser, Raaulpho de Dereford et Johanni le Botiller de Lamiltys*, salutem. Scitis quod cum nuper *Henricus de Monte fortis*, & *Henricus de Wipington* nuper inimici & Rebelles nostri ea occasione per considerationem Curie nostre per equos tracti & apud Bristol suspensi fuissent, & virtute considerationis in furcis pendentes remansuri quamdiu corpora eorum subsisterent ut alii vitarent mala & facinora talia contra nos perpetrare: *Reignaldus de Monte-forti, Willielmus de Clyff, Willielmus Curteys, & Johannes frater ejus* una cum quibuldam aliis malefactoribus & pacis nostre perturbatoribus causas fraudulotas per quas affectionem Populi a nobis elongare & Populum eundem contra nos movere possent malitiose fabricantes apud Bristol ad locum ubi corpora dictorum Inimicorum et rebellium nostrorum adhuc suspensa remanent pluries accesserunt, & miracula ibidem fieri falso fingentes idolatrie signa ibidem fecerunt & publicarunt, & per alios fieri & publicari procurarunt et illos qui ad locum predictum pro hujusmodi signis idolatrie faciendis accesserunt contra alios qui sic accedentes pro nostre & regie dignitatis nostre honores repellere nitentur, vi & armis manutenerunt & alia enormia ibidem fecerunt, in nostri et regie dignitatis nostre et considerationis predictae opprobium et scandalum manifestum et contra pacem nostram. Nos volentes contemptus et transgressiones predictas, si taliter perpetrati fuerint transire impunitos, Assignavimus vos et duos vestrum *Justiciarios nostros* ad inquirendum per sacramentum proborum et legalium hominum de Comitatu Gloucestr. per quos &c. de nominibus malefactorum predictorum qui una cum prefatis *Reignaldo &c. et Johanne* contemptus & transgressiones predictas perpetrarunt, & de contemptibus & transgressionibus illis plenius veritatem & ad eisdem contemptus & transgressiones audiendos et terminandos secundum legem &c. Et ideo vobis mandamus quod ad certos dies & loca quos vos vel duo vestrum ad hoc provideritis inquisitionem illam faciatis & contemptus et transgressiones predictas audiat & terminetis in forma predicta facturi &c. salvo &c. Mandavimus enim Vicecomiti nostro Comitatus predicti quod ad certos dies & loca quos vos vel duo vestrum ei seire faciatis, venire faciant coram vobis vel duobus vestrum tot &c. per quos &c. In cujus &c. Teste Rege apud Liverpol xxiiii die Octobris.

N. 68.
Claus. 20. Ed.
1. m. 7. Dors.
Proclamatio
contra Regem
De Mortuo
mari & alios
Regum Anglia
hostiliter
ingressos.

LE Roi au Viscont de Hereford salut. nos vos Mandoms et Chargeons fermement, Enjoignant sur queconque vos poes forfaire devers nos de corps & davoit, que vées cestes lettres sanz delay as jours de countees, seires, Marcheas, et autre lieux per tout deinz vostre Baillie auxibien deins Franchises come dehors au meins deux foies, au trois per checun semaine faces sollempnement crier & publier apertment, & entendablement les choies southescrites, en la manere Southescrite sans Rien ajouster on amenuiser, issent que la people permisse Clerement savor nostre volonte en ceste forme.

Par

PUR ceo que Roger de Mortimer et altres Treitres et enemy de nos & nostre Roialme sont entres nostre Roialme afforcement & ont menes ovelque aux aliens Estrangers, Et se afforcent apprendre Roial poiar sur nos, pur que nos meismes voloms afforcement aler sur nos Enemys, pur les arester et destruire si come affiert & tout ceux qui sont en lour Compaigne on adherants a eux, *saue la Roigne, son fitz, et le Countee de Kent*, Queux nos voloms, Que soient saues si avant que home poet. Et tout soit, Que en tieu Case checun de Roialme est tenuz per sa ligeance de venir ove tout sa force, & tout son poer en desence de nos & de luy meismes & du Roialme. Jademains noz de nostre Grace especiale grant a ore voloms pur le eise de nostre people, Que toutz yceux auxibien Gents d'armes, hobelours, & homes a pie armies, come arblasters, archers, & altres homes a pie arraies qui vendront per devers noz daler ovelque noz sur noz ditz Enemys soient a lour valu prestment paieiz de lour Gages. Cest assavoir home d'armes xiiid. le jour, Hobelour vid. home a pie armee de double Garnement ivd. & d'une Garnement iiid. Et Archer iid. & auxint voloms noz que tote maner des Grants qui voillent aver nostre Chartre de pees pur felonie, ou adherance a noz Enemys auxibien de temps passe, come a temps de ore, on par utlagarie pur queconque cause que se soit, soezpris le dit Treitre Roger de Mortimer, & les autres grans mesmours des gentz qui sont venues de outre meer en sa Compaigne. Et forpris ceux qui tueront Sir Roger de Beler veignant au Chancellerie, & eient leur Chartres, issint quilz noz tuent a noz gages en destruction de noz Enemys. Et si aucun ou ascuns menent ou rendent a noz le corps du dit Treitre Roger de Mortimer, ou noz port la Teste, noz voloms quilz eient noz chartres de pees de quiconque felonie adherance, utlagarie, ou de autre chose faite cointre nostre pees, & grantoms de les fair payer mille livres Dasterlings. Et les choses sulditz si peiblement & diligeamment ensaces. Que defaut ne soit trove en voz pur quoi noz devons a vos prendre grevoisement. Don souz nostre Grant seale a nostre Tower de Londres la xxviii jour de Septembre.

En mesme le manere est mandue a toutz les Vicountz de Angleterre,

Isabelle par la grace de Dieu Reyne Dengleterre, Dame Dirland, Contesse de Ponntiff, Et nous Edward aine fiz au noble Roy Dengleterre Ducz, de Guyenn, Counte de Cestre, de Ponntiff & Monstroy, Et nous Edmund fiz au noble Roy Dengleterre Counte de Kent, a toux iceaux que cestes lettres vendrient salut. Por ceo que conue chose est notoriement que lestat de Seint Eglise & del Roialme Dengleterre est en moult des maneres durement blemys & abeste par mavoyz conseil & abet Hugh le Despenser, que pur orgoil & coveytile de Seigneurier & mestrier sur toux altres ad purpris roial poiar cointre droit & reson & sa ligeance, & en tele manere le ad use par le mavoyz conseil R. de Baldock & autres adherans a ly, que seint Eglise est revile, & mise hountelement a grant subjection & les Prelas de seint Eglise de lour biens cointre Dieu & dreiture despoilez & en trop des maneres ledenges & disbonnez & le Coroné Dengleterre destrue en divers maners

N. 69.
Inter Responsiones
Adthe-
refordensis Episcopi in Au-
thor. Decem.
Col. 2764.

maners, en desheritaunce de nostre Seigneur le Roy & de ces heirs les graunts du Roialme par envie & mayns crualte de dit Hugh plusieurs sanz coupe & sanz cause a bounnone mort liverrez, les uns desheritez, les autres enprisonnez, banniez, & exilez, venues, orphelins de leur droit a tort forjugez & le peuple de la terre par diverses taillages & noun dues exactions troplovent regnez & par divers oppressions sanz nulle mercy grevetz. Par queax mesprises le dit Hugh se monstre apert tyrant & enemy de Dieu & de seint Eglise de nostre treschier Seigneur le Roy, & de tout le Roialme. Et nous & plusieurs autres que fount oveque nous e nostre Compaignie que loungement avoms este aloignez de la bone voillaunce nostre dit Seigneur le Roy, par la faulse suggestion & mayvoys procurement des avant dits Hugh, & Robert & leur adherdaunts James venuz en ceste terre pur lever lestat de seint Eglise & del Roialme & le peuple de la terre del dits meschiefs, & grevous oppressions garder & mayntener a nostre poiar, lonur & profit de seint Eglise, & nostre dit Seigneur le Roy & de tout le Roialme sicome est desutz dit. Pur quoi nous vos mandoms & prioms pur commun profit de vous toux & chescun de vous endroit de sey nous soietz aidant bien & leaument touz les foitz, que vous verrez lieu & temps, & par toutes les voies que vous savorrez & pourrez a ceo que les choses desutz dites puissent hastivement venir a effect & a bon fin, car soietz certaynes que nous toux, & toux iceaux que sunt en nostre Compaignie ne enpensoms a faire chose que ne serra pur lonur & le profit de seint Eglise & de toute le Roialme sicome la verrez & troverrez par temps, si Dieu plect. Don a Wallingford le xv. jour Doctobre, lan del regne nostre treschier Seigneur ly Roy vintytime.

N. 7c.
Clauſ. 20. Ed.
2. m. 3. Dors.

Memorandum quod vicesimo sexto die Octobris Anno regni Edwardi filii Regis Edward vicesimo, ipso Rege a regno suo Angliæ cum Hugone de Despenser Juniore & Magistro Roberto de Balduck inimicis Isabelle Regine Angliæ, consortis ipsius Domini Regis & Edwardi filii ejusdem Domini Regis primogeniti, & Ducis Aquitania & aliis eorundem Domini Regis & Ducis & Regni Angliæ notorie inimicis recedente, eodem regno suo sine regimine dimisso; Venerabilis Pater A. Dublinensis Archiepiscopus, J. Wintoniensis, J. Eliensis, H. Lincolnensis, A. Herefordensis, W. Norwicensis, Episcopi, & alii Prelati, & Dominus Thomas Norfolcia, & Edmundus Cantie, Comes, fratres ipsius Domini Regis, & Henricus Comes Lancastrie & Leycestrie, Thomas Wake, Henricus de Belh-Monte, Wilhelmus la Zouch de Abbye, Robertus de Monte-Alto, Robertus de Morle, Robertus de Waterville, & alii Barones & Milites tunc apud Bristol. existentes in presentia dictæ Domine Regine ac dicti Ducis, de assensu totius communitatis dicti Regni ibidem existentis, eundem Ducem in Custodem dicti Regni unanimiter eligerunt. Sic quod idem Dux & Custos nomine & jure ipsius Domini Regis patris sui ipso Rege sic absente, dictum Regnum regat ac gubernaret, & idem Dux eodem die regimen dicti regni in forma prædicta idem assumpsit, Et ea quæ juris erant sigillo suo privato in custodia Domini Roberti de Wyvel Clerici sui existente, eo quod aliud sigillum pro dicto regimine non adhuc habuit, exercere incepit. Postmodum vero vicesimo die Novembris proxime sequentis, captis inimicis prædictis, & dicto Domino Rege in dictum Regnum suum

suum revertente, iidem Domina Regina & Dux, Prelatique, & Proceres prædicti, de assensu communitatis prædictæ tunc apud Hereford existentes, pro eo quod potestas ipsius Custodis per adventum dicti Domini Regis sic infra regnum suum cellavit, prædictum Dominum Herefordensem Episcopum ad ipsum Dominum Regem in nuntium miserunt, supplicando eidem Domino Regi, quod et ipse precipere vellet, quod de magno sigillo suo penes dictum Dominum Regem tunc existente, fierent ea quæ pro pace in eodem regno conservanda, & justitia exhibenda essent facienda. Idemque Episcopus Herefordensis dictum Dominum Regem apud Manemuth tunc existentem, & in præsentia dicti Comitiss Lancastrie & Leycestrie, & Magistri Thoma Chaudes Archidiaconi Herefordensis, ac aliorum plurimorum, omnia sibi injuncta eidem Domino Regi exposuit per ordinem. Et idem Dominus Rex auditis sic sibi expositis, habita inde aliquali deliberatione, penes se, respondebat quod placuit sibi mittere dictum sigillum suum magnum præfatis consorti suæ & filio. Et quod iidem confors & filius dictum sigillum sub privato, no sigillo tunc clausum aperire facerent, & non solum ea quæ jure & pace essent facienda, sed etiam quæ gratia forent, sub dicto magno sigillo fieri facerent. Et idem Dominus Rex dictum magnum sigillum liberari fecerit Domino Willielmo le Blunt Militi, deferendum in comitiva dicti Domini Herefordensis Episcopi, ad prædictam Reginam & Ducem prædictam forma iis liberandum. Quæ idem Episcopus ad Reginam & Ducem prædictos vicesimo sexto die Novembris proxime sequentis apud Martlee rediens exposuit viva voce. Et nihilominus eadem in quodam instrumento publico inde confecto continentur. Dictus vero Willielmus le Blunt prædictum magnum sigillum sub dicto privato sigillo sic clausum prædicto die præfatis Regine & Duci apud Martley in presentia dicti Herefordensis Episcopi liberavit. Die vero Dominica proxime sequenti, viz. in * festo sancti Andree Apostoli apud Cirencester in Camera ipsius Regine infra Abbatiam ibidem iidem Regine & Dux existentes, dictum magnum sigillum sic clausum in presentia Domini Rogeri de Mortuo-Mari, Johannis Comitiss Guarenne, dicti Domini Roberti de Wyvell, Richardi de Ellesfold, & Johannis Gifford Clericorum, et aliorum plurimorum tradiderunt ex parte dicti Domini Regis præfato Domino Norwicensi Episcopo, & præceperunt sibi quod illud aperiret, & faceret quod ad officium Custodis dicti magni sigilli pertineret. Et idem Episcopus dictum magnum sigillum in manibus suis recepit, & eodem die in Capitulo dictæ Abbatie sigillum illud aperuit, & inde Brevia consignavit, & post consignationem sigillum illud sub sigillo suo conclusit. Et sic remansit dictum magnum sigillum in Custodia dicti Episcopi Norwicensis itinerandum per vias versus Wadstocke usque ad * diem Jovis proxime sequentis, quo die ipse restituit sigillum illud sub sigillo suo præfatis Rogero & Duci apud Glodestoke. Et occurrentibus negotiis apertum fuit idem sigillum pro expeditione eorundem, & post consignationem quamlibet reclusum fuit idem sigillum sub sigillo dicti Norwicensis Episcopi, & restitutum præfatis Rogero & Duci custodiendum. Die vero Mercurii ante festum sancti Thomæ Apostoli proxime sequentis Mr. Henricus de Cliffe Custos rotulorum Cancellarie qui tunc venerat sigillum suum appoluit dicto magno sigillo una cum sigillo dicti Norwicensis Episcopi, & iidem Episcopus & Magister Henricus post consignationes, sigillis suis appositis, dictum sigillum præfatis Regine, & Duci singulis diebus restituere.

* i.e. 30. Novembris.

* i.e. ad quartum Diem Decembris.

N. 71.
Rot. Clauf. 10.
Ed. 1. m. 4.
Dors.
De proroga-
tione parla-
menti.

REX venerabili in Christo Patri J. eadem gratia Episcopo Cisterciensi salutem. Licet nuper super diversis & arduis negotiis, nos et statum Regni nostri tangentibus, *Parliamentum* nostrum apud *Westm.* in *Quindena Sancti Andree* proximo futura, teneri & ibidem per *Isabellam Reginam Anglia consortem nostram charissimam* & per *Edwardum filium nostrum primogenitum, Custodem ejusdem Regni, nobis extra idem Regnum agentibus*, ac per vos & ceteros *Praelatos, Proceres, & Magnates Regni praedicti* haberi voluissimus colloquium & *Tractatum*; vobisque mandavimus, quod dictis die & loco personaliter interessetis, cum praefata Consorte nostra, & dicto filio nostro, *Custode Regni praedicti*, & cum ceteris *Praelatis, Proceribus & Magnatibus*, dicti regni super praedictis negotiis tractaturi. Quia tamen quibusdam de Causis certis necessariis & utilibus, praedictum *Parliamentum & Tractatum usque in Crastinum Epiphania Domini proximo jam futurum*, apud dictum locum *Westm.* tunc tenendum duximus *prorogandum*, vobis significamus quod ad dictam *Quindenam* apud dictum locum *Westm.* ex causa *Parliamenti & Tractatus* praedictorum vos accedere non oportet: Vobis insuper in fide & dilectione, quibus nobis tenemini, firmiter injungendo mandamus, quod omnibus aliis praetermissis, in dicto *Crastino* personaliter sitis apud dictum locum *Westm.* nobiscum, si ibidem tunc personaliter sumus, vel in absentia nostra cum praefata Consorte nostra, & cum dicto filio nostro ac cum ceteris *Praelatis, Proceribus, & Magnatibus* dicti Regni super dictis negotiis tractaturi, vestrumque consilium impensuri; praemunientes *Decanum & Capitulum Ecclesiae vestrae praedictae & Archidiaconum Clerumque vestrae Dioceseos* quod iidem *Decanus & Archidiaconi* in propriis personis suis, dictumque *Capitulum* per unum, & *Clerus praedictus* per duos *Procuratores*, ab ipsis *Capitulo*, & *Clero* sufficientem potestatem habentes, dicto loco in dicto *crastino* interfint, ad consentiendum hiis, quae tunc ibidem de *communi consilio* Regni nostri contigerit ordinari: Et hoc nullatenus omitatis. Teste Rege apud *Ledbury* tertio die *Decembris*.

The Seal was not at *Ledbury* on the 3d of *December*, and therefore the *Writ* could not be sealed there that *Day*, for the great Seal was then in the *Custody* of the *Bishop of Norwich*, at *Woodstock* or in his *Way thither*, as appears by the next preceding *Record*. and on the 4th of that *Month* was delivered to *Roger Mortimer* and the *Duke of Aquitain*, afterwards *Ed. 3d.* at *Woodstock*, so that in all probability, This *Writ* Issued without the *Kings* *Privacy* or *Knowledge*.

N. 72.
Authores Decem. Col. 765.
n. 50. 60.

Accoide est que sire *Edward* sive *aisne du Roy* ait le gouvernement del Roialme & soit Rois coronne par les causes que sensivent.

1. *Primerement*. Pur ceo que la persone ly *Roy* n'est pas suffisant de gouverner. Car en touz son temps ad il este mene & governe par autres que ly ount mavoisement conseillez a dishonneur de ly & destruction de seint *Eglise*, et de tout son peuple sanz ceo que il le voulist veer on consulre le quel il fust bon ou mavoys ou remede mettre, ou faire le voulist quant il fuist requis par les graunts & sages de son Roialme, ou iussir que amende fuist faite.

2. *Item*

2. *Item*. Par tout son temps, il ne se voloist doner a bon conseil ne le croire ne a bon gouvernement de son Roialme meys se ad done touz jours as ouraignes & occupations nient covenables entrelessant lesploit des boisoignes de son Roialme.

3. *Item*. par defaute de bon gouvernement ad il perdu le Roialme *Descocce*, & autres terres & Seignuries en *Gascogne & Hyrland*, les quex son pere li leissa en pees & amiste ly *Roy*, du *Roy* de *Fraunce* & dets moult des autres graunts.

4. *Item*. Par la ferte & qualte & par mavoys conseil ad il destruit seint *Eglise* & les persones de seint *Eglise* tenez en prison les uns, et les autres en destrefce, & auxint plufours graunts & nobles de sa terre mys a hountoule mort enprisons exuletz & desheritez.

5. *Item*. la ou il est tenez par son serement a faire dyoit a toux il ne lad pas volu faire pur son propre profyt & covetise de ly & de ces mavoys counsailliers que out est pres de ly, ne ad garde les autres pointz del serement quil fist a son coronnement, si com il feust tenez.

6. *Item*. Il deguerpist son Roialme & fist taunt come en ly fust que son Roialme, & son peuple fust perduz, & que pys est, pur la cruelte de ly & defaute de si perlonne il est trove incorrigible sauntz esperance de amedement, les quex choses sont si notoires quil ne pooent estre delditz.

VEra series *Procuratorii*. Jeo *William Trussell Procurator des Praletez, Contez & Barons & autres gentz* en ma *procuracye* nomes eyant al ceo playne & suffisant pouare, les *homages & fealties* au vous *Edward Roy Dengleterre* come al *Roy* avant ces oeures depar les ditz persones en ma *procuracye* nomes, renk & rebaylle sus a vous *Edward* & deliver & face quitez les persones avantditz en la meillour manere que ley et custome donnent, E face protestacion en non de eaux quilz ne voillent desormes estre en vostre fealte, ne en vostre lyanee, ne cleyment de vous come de *Roy* riens tenir. Encz vous tiegnent delhorse *privee persone* sanz nule manere de reale dignite.

N. 73.
Knighton. Col.
2550. N. 10.

REX vicecomiti *Eboracensi* salutem. Quia Dominus *Edwardus* nuper *Rex Anglie pater noster*, de *Communitatis* consilio et assensu *Praelatorum, Comitum et Baronum*, et aliorum *Magnatum*, nec non *Communitatis* totius regni praedicti *spontanea voluntate* se amovit a *regimine* dicti regni volens et concedens quod nos tanquam ipsius primogenitus & heres ipsius Regni, *gubernationem et regimen* assumemus; Nosque ipsius patris nostri *Beneplacito* in in hac parte de consilio et *advisamento* *Praelatorum, Comitum, Baronum, Magnatum, et Communitatis* praedictorum, annuentes, *gubernacula* suscepimus dicti Regni, et *fidelitates & homagia* ipsorum *Praelatorum*, et *Magnatum* recipimus, ut est moris. Desiderantes igitur pacem nostram pro quiete et tranquillitate populi nostri *inviolabiliter* observari, tibi praecipimus quod statim visis praesentibus per totam *Ballivam* tuam, pacem nostram facias publice proclamari *universis et singulis ex parte nostra* inhibendo, sub poena, et periculo *exheredationis et amissionis* vitae et membrorum,

ne quis dictam pacem nostram infringere seu violare præsumat, sed quilibet actiones et querelas abique violentia quacunque prosequatur, secundum leges et consuetudines Regni nostri. Nos enim parati sumus et semper erimus omnibus et singulis conquerentibus tam divitibus quam pauperibus in curiis nostris plenam justitiam exhibere. Teste Rege apud Westmonasterium 29 Januarii.

N. 75.
Labbet Con-
cil. Tom. XI.
part. 2. col.
1554. R. C.D.
Puteanus Con-
demnation des
Templ. 2. p.
19. 30. 31.

1. **C**um ordinem cooptabatur in ipsis sacrorum suorum initiis Christumne, aut Deum, aut virginem Deiparam, aut Divos abjurarent vel ut abjurarent moniti fuissent, aliove ipsi ad abjurandum, incitassent?

2. An Christum, vel Jesum, crucive suffixum verum Deum esse, vel passum pro humino redimendo genere negassent?

3. An fuisse pseudo-prophetam, & pro suis ipsis afflictum criminibus affirmassent?

4. An Ordinis magistrum, qui nullis erat sacris initiatus, crederent per poenitentiam Sacramentum eluere animæ sordes, & peccata posse, & an ipse id fecisset?

5. An quæ occulta habebantur in eorum legibus, ea orthodoxæ Romanæ Ecclesiæ vituperationi esse criminaque ac eorum fovere putarent?

6. An in ipso ordinis ingressu decerentur posse inter se luxuriose committere, idque esse faciendum, neque ullum eorum id perpetrari flagitium, & an hæc Tyrones etiam docerent?

7. An Ordinis, sui amplitudini studere vel contra quam fas esset jurassent ad idque jurandum alios induxissent?

8. An qui cooptabant eos in Ordinem ne spem salutis suæ in Christo Deo positam haberent illis ediceret?

9. An conspuissent crucem imaginemve Christi Dei, aut pedibus protrivissent ac conculcassent, & die veneris sancto, vel alio in eam minxissent?

10. An Cattum craniumve aut simulacrum quodpiam & idolum hujusmodi fictum & commentitium divinæ veneratione coluissent, in magnis comitiis, aliove fructuum loco: divitiisque ab eo & terrarum arborumve uberes fructus speravissent?

11. An quo cingulo interulum carnemve cingebant, eoidolum quodpiam hujusmodi tetigissent?

12. An Tyrones, adolescentulos præsertim libidinosos, intemperanterque, atque aliâ quam deceat, parte osculati fuissent?

13. An dum rem divinam facerent sacra mysteriorum, & consecrationis verba omisissent?

14. An scelestum & nefarium facinus ducere, hæc committere?

Clemens Episcopus servus servorum Dei Charissimo in Christo filio **Edmundo** Regi Angliæ illustri salutem & apostolicam benedictionem. Nuper in Generali Concilio per nos Viennæ disponente Domino celebrato post longam deliberationem prehabitam & maturam acceptabilius fore Altissimo magis honorabili fidei orthodoxæ cultoribus & subventioni Terræ sanctæ utilius bona quondam domus & ordinis militiæ Templi ordinis Hospitalitatis sancti Johannis Jerusalem concedere quam ordini de nova creando unire aut etiam applicare consilium deliberationis nostræ providit set quia tunc aliquibus asserentibus melius fore bona ipsi ordini noviter creando conferre quam dicti Hospitalis ordini

ap-

N. 76.
Rot. Clauf. 7.
Et. 2. M. 11.
12. Dors.

applicare tunc noster affectus speratum effectum super hoc optinere nequivit. Tandem vero sic per Dei gratiam actum fore dinoscitur quod vi. Non. præsentis mensis Maii eodem sacro approbante Concilio Hospitali seu ipsius Hospitalis ordini supradictis præfata bona concedenda & applicanda duximus ac etiam unenda, Bonis ejusdem ordinis militiæ Templi in Regnis & terris carissimorum in Christo filiorum nostrorum, Castelle, Aragonie, Portugallie, & Maioricarum Regum illustrium extra Regnum

A Franciæ consistentibus dumtaxat exceptis quæ ab unione, concessione, & applicatione hujusmodi ex certis causis excipiendi duximus, & etiam excludenda, ipsa dispositioni nostræ & sedis Apostolicæ specialiter reservantes quousque de illis aliter pro dictæ Terræ subsidio per nostram & dictæ sedis providentiam extiterit ordinatum. Quocirca Magnificentiæ regiam rogamus & hortamur attentius quatinus pro reverentiâ salvatoris cuius in hac parte negotium promovemus, ac dictæ sedis & nostræ Magistro & Fratribus seu Prioribus & Præceptoribus Hospitalis ejusdem in quibuscumque partibus & Provinciis Regni & terrarum tuarum constitutis seu Procuratori vel Procuratoribus eorumdem quod prædicta bona in eisdem regno & terris tuis consistentia integre & pacifice valeant aliqui & habere regii favoris præstes auxilium prout extiterit opportunum. Et nihilominus omnibus

B Comitibus, Baronibus, Ducibus, Principibus & aliis nobilibus, Communicatibus & Universitatibus, Senecallis, Ballivis, ceterisque Officialibus dicti Regni quocumque nomine censeantur, & aliis qui ad custodiam bonorum ipsorum de tuo mandato fuerint deputati per literas tuas mandes expresse ut eadem bona Magistro & Fratribus seu Prioribus & Præceptoribus, vel Procuratori aut Procuratoribus antedictis et singulis eorumdem a quibus super hoc fuerint requisiti sine diminutione qualibet quantum in eis fuerint restituant & assignent eis circa nanciscendam, habendam, & retinendam possessionem bonorum ipsorum per te & officiales eosdem & alios executoribus super executione hujusmodi concessionis nostræ deputatis & imposterum deputandis su per eadem executione de liberalitate regia efficaciter assistendo, cum pro parte ipsorum extiteris requisitus: sic igitur in præmissis te promptum & liberalem exhibeas quod præter retributionis æternæ premium quod inde mereberis tibi laudis humane prove niat incrementum & nos celsitudinem tuam dignos valeamus in Domino laudibus commendare, Dat. Liberon, Valenti, Die. xvii. Kal. Junii. Pontificatus nostri anno septimo.

C Anquissimo in Christo Patri &c. Sanctitatis vestræ mandatum sub literis vestris Bullarum clausis xvi. Kalend. Martii Anno Domini 3000. 90. michi per venerabilem patrem Dominum Piar Epm. præsentatum recepi, continens Tenorem qui sequitur: **CLEMENS** &c. volens autem Mandatum Apostolicum prædictum quantum ad me pertinet exequi reverenter cum nonnullis fratribus & suffraganeis meis qui mandatum consimile receperunt super executione ejusdem mandati frequentes tractatus habebam. Et post tractatus eosdem ac nonnullos accessus ad

D palatium Domini E. Dei gratia Regis Angliæ illustris apud Westmonasterium juxta London in quo tunc temporis morabatur, quam citius ad ipsius præsentiam accedere potui, quod fuit 3^a. Kalend. Martii.

E S Anquissimo in Christo Patri &c. Sanctitatis vestræ mandatum sub literis vestris Bullarum clausis xvi. Kalend. Martii Anno Domini 3000. 90. michi per venerabilem patrem Dominum Piar Epm. præsentatum recepi, continens Tenorem qui sequitur: **CLEMENS** &c. volens autem Mandatum Apostolicum prædictum quantum ad me pertinet exequi reverenter cum nonnullis fratribus & suffraganeis meis qui mandatum consimile receperunt super executione ejusdem mandati frequentes tractatus habebam. Et post tractatus eosdem ac nonnullos accessus ad palatium Domini E. Dei gratia Regis Angliæ illustris apud Westmonasterium juxta London in quo tunc temporis morabatur, quam citius ad ipsius præsentiam accedere potui, quod fuit 3^a. Kalend. Martii.

N. 77.
Registrum
Winchelsey, et
the Registers
Office in Des.
Commons. fol.
3. a. b.

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Martii, eidem in presentia venerabilis patris Domini Patriarchæ Jerusalem & venerabilium fratrum iussufraganeorum meorum, scil. Dominorum London. Winton. Sarum. Lincoln. Norwic. Ciceffrien. Wigorn. Exon. Bathon & Wellen. & Meneven. Ecclesiarum Episcoporum, & aliquorum Comitum & Baronum Regni Angl. contenta in eodem Mandato eidem Domino Regi vice mei & confratrum meorum exposui, & in scriptis tam in latino quam Gallico tradidi. Exhortationes & monitiones feci prout in instrumento publico quod super expositione & traditione ac exhortatione & monitione prædictis fieri feci & sanctitati vestræ transmittito plenius continetur. Et quia idem Dominus Rex dicebat se velle deliberare super expositis eidem & traditis, postmodum idibus Martii pro habendo Responso accessi una cum aliquibus fratribus meis ad prædictum palatium dicti Regis, in quo tunc temporis præfens fuit, & quia sui præsentiam mihi non exhibuit, post longam expectationem, ad ipsum venerabilem fratrem Dominum, W. Dei gratia Episcopum Thesaurarium suum mittens, Rogavi ut Ecclesie Romanæ & michi congruum & convenientem responsum daret & faceret, ad sibi antea per me exposita, et tradita, de quibus est mentio superscripta, & tandem idem Dominus Rex michi, & venerabilibus fratribus tunc præsentibus, per dictum Dominum Thesaurarium & Johannem de Lonham de ordine prædicatorum Confessorem suum, Mandavit prout tunc Respondere non potuit, pro eo quod contenta in Mandato vestro, Apostolico prædicto, non solum ipsum Dominum Regem, sed omnes Comites, Barones, & alios, proceres regni sui tangebant, Quorum omnium tunc præsentiam ad tractatum cum eis super mandatis vestris Apostolicis, eidem Domino Regi per me prius tractatis & expositis ad voluntatem suam non potuit obtinere. Et quærum præsentia in Responsonibus faciendis sibi necessaria existeret. Sed sperabat quod super hoc remedium ordinaretur per Dei gratiam infra breve prout in Instrumento publico quod de hoc fieri feci plenius est contentum. Verum idem Dominus Rex cum consilio suo 20. Kalend. Aprilis, respondit sub hac forma, Quod salvo jure corone sue voluit vobis & sanctæ sedi Apostolicæ, sicut Devotus filius Ecclesiæ quatenus poterit in omnibus obedire, adjiciens quod ante notitiam vestrarum litterarum, Discordia quædam inter quosdam Proceres Regni sui exorta extitit, quæ ulque ad diem prædictum sedata non fuerat vel sopita, propter quod non potuit plenè deliberare, ut ad singula in mandato vestro contenta responsum congruum exhiberet, sed cum dictam Discordiam, perperderet jam sedandam, intendebat Regni sui consilium convocare & super dandis Responsonis convenientibus ad singula diligenter tractare, ac per suos proprios Nuncios citra tempus vestri generalis consilii præsumit, Responsum dare Deo placens, vobis & sedi Apostolicæ acceptabile, ac sanctæ Ecclesiæ fructuosum, ad ipsius & Regni sui Commodum & Honorem.

Ne aliquid attemptetur contra Coronam in Congregatione Prælatorum.

REX venerabilibus in Christo patribus eadem gratia W. Archiepiscopo Cantuar. totius Angliæ Primati, & omnibus Episcopis Cantuariensis Provinciæ ac aliis Prælati & Clerici absentis Procuratoribus ejusdem Provinciæ apud London. in proximo conventur.

tur. Salutem. Mandamus vobis firmiter inhibentes ne instanti congregatione apud London convocata, aliquid contra Coronam seu Dignitatem nostram, vel statum Regni nostri statuere seu attemptare alicqualiter præsumatis. Si quæ autem statum Ecclesiæ aut vestrum tangentia, seu alias erga nos habueritis prosequenda, ea in proximo Parlamento nostro apud Lincoln, jam convocato ad quod vos Prælati lummoniti estis, ad quod quantum bono modo poterimus festinamus, in quo etiam interesse debetis, tractari volumus, & super eisdem tunc ibidem fieri quod de communi consilio ad honorem Dei & Ecclesiæ sue salvo statu & dignitate nostris fide faciendum. In cujus &c. Teste Rege apud Shene xvi die Februarii.

Per ipsum Regem.

REX venerabilibus in Christo patribus W. eadem gratia Archiepiscopo Cantuariensi, totius Angliæ Primati, ac cæteris Episcopis & Prælati, Cantuar. Provinciæ ad concilium Provinciale apud London in proximo conventuris: Mandamus vobis in fide & Dilectione quibus nobis tenemini, firmiter inhibentes, ne in dicto Concilio quicquam in nostri aut status Coronæ nostre, vel Regni nostri prejudicium statueris, faciatis, seu quomodo libet, ordinetis. Teste Rege apud Pountfreyt super Themefiam 30. die Novembris.

Per ipsum Regem.

REX Justiciariis salutem. Circumspecte agatis de negotio tangente Dominum Norwicensem, & ejus clerum non puniendo eos, si Placitum tenuerit de hiis, quæ mere sunt spirituales, viz. de Correctionibus quas faciunt Prælati pro mortali peccato, viz. pro Fornicatione, Adulterio & hujusmodi pro quibus aliquando infligitur poena corporalis, aliquando pecuniaria; maxime si convictus fuerit liber homo.

Item, si Prælati puniatur pro Cimiterio non clauso, Ecclesiâ discooperta vel decenter non ornata, in quibus casibus alia poena non potest infligi, quam pecuniaria.

Item, si Rector petat a Parochianis suis Oblationes, Decimas debitas, & consuetas, vel Rector agat contra Rectorem de Decimis majoribus, dummodo non petatur quarta pars alicujus Ecclesiæ.

Item, si Rector petat Mortuarium, ubi Mortuarium dari consuevit.

Item, si Prælati, Advocatus Ecclesiæ petat a Rectore Pensionem sibi debitam, omnes hujusmodi petitiones faciende sunt in foro Ecclesiastico.

Item, de violenta manuum injectione in Clericum, & in causa Diffamationis, concessum fuit alias, quod Placitum inde teneatur in Curia Christianitatis, dummodo non petatur pecunia, sed agatur de correctione peccati. In omnibus prædictis Judex Ecclesiasticus cognoscere debet, non obstante Regia prohibitione, licet

N. 79.
Pat. 15. Ed. 1.
part. 1. m. 8.

N. 80.
Spelman. Conc.
cil. vol. 2. fol.
486.

N. 8.
Rot. pat. 12.
Ed. 2. part. 2.
m. 37.

cot perigatur, quod non facit, nisi prius habeat regiam consultationem &c.

N. 81.
Ch. 1. r. Ed.
1. pte prim.
M. 13. Dors.
petitions pro
illis qui fur-
tunt de Quere-
le Thomæ Co-
mitis Lancas-
trie

FAit a Remember que le tierce jour de Feverer lan du Regne le Roi Edward fitz au Roi Edward, fitz au Roi Edward, fitz au Roi Henry primer furent mostrez en parlement adonques tenu a Westmr. aucunes petitions, per les Chivalers et le Comune de la Querele le Count de Lancastre, en la form que ensuit.

A nostre Signeur le Roi &c. prient les Chivalers et le Comune a tort Desheritez, Emprisonnez, Banniz: Exilez questeint de la Querele le noble Counte de Lancastre quilz peussent estre Restituez a leur Terres ove les issues puis le Temps que les furent a tort seiziz.

A quele petition fust respondu per comune assent de tot le parlement que totes les terres et tenz que furent seiziz, par cause de la Querele le Counte de Lancastre la Quele pur tot le parlement est afferme bone, auxubien, en Ireland, Gales, come en Engleterre, soient Restituez ove les issues et arerages de ferme Dint le Roi ne fust mie seiz.

N. 82.
Rot. Clauf. 4.
Ed. 3. M. 19.
Dors.

REX venerabili in Christo Patri S. eadem gratia Archiepiscopo Cantuar' totius Anglie primati, Salutem. Qualiter negocia nos et statum regni nostri contingencia postquam suscepimus gubernacula regni nostri luculque in nostrum dampnum et dedecus, et depauperationem populi nostri deducta erant, vestram credimus prudentiam non latere, propter quod non valentes hoc urgente conscientia, ulterius sustinere, set desiderantes toto corde statum et regimen regni nostri secundum juris et rationis exigenciam ad honorem Dei et tranquillitatem et pacem sancte Ecclesie, ac totius populi ejusdem regni reformari ordinavimus, de consilio & assensu Prelatorum, & Magnatum nobis assistentium Parliamentum nostrum apud Westm. die Lune proximo post festum sancte Katherine virginis proximo futuro tenere, et vobiscum, ac cum ceteris Prelatis, Magnatibus et Proceribus dicti regni habere super premissis cum deliberacione plenaria, consilium et tractatum vobis in fide et dilectione quibus nobis tenemini, firmiter injungendo mandamus, quatinus omni excusacione voluntaria cessante dictis die et loco personaliter interitis nobiscum, & cum ceteris Prelatis, Magnatibus, & Proceribus predictis super premissis tractaturi, vestrumque consilium impeturi. Et hoc sicut nos et honorem nostrum et tranquillitatem dicti regni diligitis nullatenus omittatis, Scientes quod diem summonicionis dicti Parliamenti, ob intentum desiderium quod habemus quod negocia statum ipsius regni nostri contingencia feliciter disponantur, de assensu Prelatorum & Magnatum predictorum abbreviavimus ista vice, & volumus quod abbreviatio hujusmodi cedat alicui in prejudicium, vel trahatur in consequentiam in futurum. Et premunire facias Priorem & Capitulum Ecclesie vestre Christi Cantuar' Archidiaconos totumque clerum vestre Diocel. quod iidem Prior & Archidiaconi in propriis personis suis dictumque Capitulum per unum, idemque, Clerus per duos Procuratores idoneos plenam & sufficientem potestatem ab ipsis Capitulo & clero habentes dictis

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die & loco intersint ad faciendum & consentiendum hiis que tunc ibidem de communi consilio, divina favente clementia, ordinari contigerit super negociis antedictis. Teste Rege apud Leycestr. xxiii. die Octobris.

N. 83.
Rot. Parl. 4.
Ed. 3. n. 1.
Judicium Ro-
geri de Mor-
tuo Mari.

Ces sont les tresors felonies & malveistes a nostre Seigneur le Roi & a son peuple par Roger de Mortimer, & autres de sa covyne.

Primement par la on ordne feust al Parlement nostre Seigneur le Roy prochynement tenuz apres son coronement a Westminster que quatre Evelques, quatre Countes & sys Barons demorreient pres du Roy pur luy conseylar issint tote foiz que quatre y feussent, cestassaver, un Evelq, un Counte et deus Barons au meyns et que nule grosse buloigne soit faite sanz lur assent, et que cheicun respondist de ses faitz pur son tems, apres quen parlement, le dit Roger de Mortimer nient eant regard au dit assent accrocha a lui roial poer et le gouvernement du Roialme sur lestat le Roi et ousta et fist outter et mettre Ministres en lostiel le Roi et aillours parmy le roialme a sa volonte de tieux que seurent de lon acord, et myst Johan Wyard et autres entour le Roi despier ses faitz et ses ditz, issint que nostre dit Seigneur le Roi feust en tiele manere environ de ces Enemys de tieux quil ne poet rien faire de sa volonte forsique come un home que demora en garde.

2. Item par la ou le pierre nostre Seigneur le Roy fust a Kenilworth par ordenance et assent de peres de la terre a demorer illoques a ses esles parestre servi come aseroit a un tiel Seignour, le dit Roger par le roial poer al acroche ne lessa tant quil le eust par devers lui a la volonte et ordina quil feust mande au Chastiel de Berkele ou par lui et par les sones feust treteroulement felonement et fausement mordre et tue.

3. Item le dit Roger par le dit Roial poer a lui accroche fist defendre par Brief le Roy desouz le grant Seal que nul ne venist au parlement de Salesbirs a force et armes sur quant quil poet forsaire devers le Roy la vyn: le dit Roger od autres de sa covyne a force et armes au dit parlement encountre le dit defens par quoy plusieurs Peres de la terre, come le Counte de Lancast' et autres sachantz la manere de sa venue ne vyndrent point, et coment par la ou les Prelates estoient assemblez au dit parlement en une maison de consailler sur les buloignes nostre Seigneur le Roi et son roialme le dit Roger [brisa] debrusa les oens de la Meason ove gentz des armez sur les ditz Prelatz et les manassa de vie et de membre si nul de eux fuissent si hardys a dire ou faire rien que feust a contraire de sa volonte en nul point. Et a meisme le parlement par son dit poer fist tant que le Seigneur le Roi lui fist Counte de la Marche et lui dona plusieurs terres a lui & a ses heirs, en Desheritance de sa Corone. Et puis le dit Roger et ceux de sa covyne menerent le dit nostre Seigneur le Roi armez sur le dit Counte de Lancastre et les autres Piers de la terre tantque a Wyncestr' la ou ils estoient venantz

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devers

devers le dit parlement a Salesbirs, pur quoi le dit Counte de Lancastre et autres Pieres, pur elchüre le peril quent püst estre avenu a la reverence du Roy lur Seigneur lige departèrent & aillèrent envers leur pays dolent qu'ils ne poient a lur Seigneur lige parler ne conseiller come ils deveyent.

4. Item le dit Roger par le dit roial poer a luy accroche fist le dit nostre Seigneur le Roi chivaucher forciblement sur le Counte de Lancastre & autres Pieres de la terre que estoient ordenez destre pres du Roy pur lui conseiller et tant les chacea par force que le dit Counte et aucuns autres de sa compaignie que valent le profit le Roi et du roialme le mistrent a la grace du Roi, Sauve a eux vie et membre & qu'ils ne feussent deheritez, ne mettre a trop grand Ransom. Mes fist mettre a si haute rançon come a la value de la moitie de toutes les terres a vendre a touz jours et les autres fist enchacer hors de terre et seiser lur terres contre la fourme de la grande Chartre et contre lei de terre.

5. Item par la ou le dit Roger savoit bien que le pere nostre Seigneur le Roi estoit mort & enterre, il par autres de sa covyngne en deceyante manere fist entendre al Counte de Kent que le dit pere nostre Seigneur le Roi fist en vie par quot le dit Counte de Kent feust molt desirous de s'aver la verite le quel il fust en vie, on nemie, & ce fist espier par toutes les bones voies quil savoit tantque le dit Roger par son dit roial poer a lui accroche fist prendre au parlement tenuz a Wyncestre, le dit Counte de Kent et tant procurez et poursuivre par son dit roial poer que le dit Counte fust mis a la mort au dit parlement.

6. Item le dit Roger par son roial poer a lui accroche fist le Roi donner a lui et a ses enfauntz et a ses allies Chastelles, Villes et Manoirs franchises en Engleterre, Ireland & Gales en desces de sa coronne.

7. Item le dit Roger en deceyante manere fist les Chivaliers des Countez grauntier au dit parlement de Wyncestre au Roi de chescun Ville Dengleterre que respont par quatre & le Provost en Eyre un homme darmes a lour coustages en sa guerre de Gascoigne par un an la quele charge le dit Roger avoit compasse a tourner en autre profit pur lui & autres de sa covyngne en destruccion du people.

8. Item le dit Roger par son dit roial poer fist mander lettres desouz la targe as plusieurs grantz Chivaliers et autres qu'ils venissent au Roi queu part quil feust et a lur venue les fist charger qu'ils s'adressassent daler en Gascoigne ou qu'ils feussent synz et rançons a sa volonte, des queux atoms firent synz et rançons et tot le plus est devenue au profit le dit Roger et autres de sa covyngne.

9. Item le dit Roger fausement & malicieusement nüst desord entre le pere nostre Seigneur le Roi et la Roine sa compaignie, et la fist entendre que si ele feust venue a lui quil la eust tue

tue dun cotel ou en autre manere de murdre, par quoi par cele cause et par les autres sotiletes si fist il tant que la dite Roine vynt poynt devers son dit Seigneur a grant dishonour du Roi et de la Roigne sa miere et grant damage de tut le roialme par cas en temps a venir, que dieux defend.

10. Item le dit Roger par le dit roial poer a lui accroche si ad pris et fait prendre pur lui et les autres de sa covyngne du tresor le Roi a sa volonte sanz moubre en deniers et jeux en destruccion du Roy, issint que le Roi nad rien de quoi payer pur son viure.

11. Item le dit Roger par son dit roial poer si ad fait prendre par devers lui & autres de sa alliance xx. marcز que sont venuz hors Descoco pur la fourme de la pees sanz ce que riens de ce soit venuz au profit le Roi.

12. Item le dit Roger par son dit roial poer fist les pyses parmi le roialme si come il eust este Roi, et entre lui et ceux de sa covyngne meinerent al double dez gentz et chivalx en la compaignie le Roi, que ne fist nostre Seigneur le Roi en destruccion du people sanz faire payment autre que a lur volonte demaigne.

13. Item le dit Roger par son dit roial poer fist le Roi grantier a la monttance de CC. Chivalers a ceux Dirland quavoient tuez les Grantz et autres de la terre Dirland que furent a la foi le Roi en celes parties par la ou le Roi devoit plus tost par reason auer venge lur mort & pardone, contre fourme destatut et assent du parlement.

14. Item le dit Roger compassa daver destruit les Nurriz le Roy & ceux que furent les plus secrez des queux le Roi plus assa & surmist au Roi en la preface la Roigne sa Miere et les Evêques de Nicole et Salesbirs et autres du conseil le Roi que les avantditz ses secrez lui exciterent destre de la covyngne de ses enemys per dela en destruccion de la Roigne sa miere et du dit Roger, la quele chose il asserma tant sur le Roi que le parole le Roi ne poit estre creu a contraire de son dit et cele Venderdi dedeinz la nuyt quil estoit pris a la nuyt suant; donc par les causes susescrites et par molt des autres causes que ne sont pas touz a monstrier a ore si fist le dit nostre Seigneur le Roi prendre le dit Roger en la manere et par ausement & aide de ses privez & Nurriz come il vous ad souent monstre. Dont le dit nostre Seigneur le Roi si vous charge Countes & Baronns les Pieres de son roialme que desicome cestes chose touchant principalement a lui a vous et a tout le people de son roialme que vous facez au dit Roger droit et loial jugement come a un tiel d'aver qui de toutes les coupes susescrites si est veritablement coupable a se quil entent et que les dites choses sont notories & conues pur veritables a vous et a tut le poeple du roialme.

Les queux Countes, Baronns & Pieres les articles par eux examinez revyndre avant le Roi en meisme le parlement

+ Culpar.
Gules Coups.
Littera. L. in u.
mutata.

ment et disoient trestouz par un des Piers que totes les choses contenues es diz Articles fuerent notoires et conues a eux et au people, et nomenent article tochant la mort Sire Edward pere nostre Seigneur le Roi quore est; par quoi les diz Comtes, Barons et Pieres come juges du parlement par assent du Roy en mesme le parlement agarderent et ajugerent que le dit Roger come treitour et enemy du Roy et du Roialme feust treyne et pendu, et sur ce estoit comande au Counte Mareschal a faire l'exécution du dit jugement, et au Maire Aldermaunes et Viscountes de Lonndres, Conestable de la Tour et auxint la ceux que avoient la garde de lui destre aidantz au dit Counte Mareschal a la dite execution faire. La quelle execution estoit fait et perourmy le Jeodi prechein apres le primer jour du parlement que estoit le xxix jour de Novembre.

N. 84.
Rot. parl. 4.
Ed. 3. n. 16.

Contra Thomam de Berkele Gloucestre. Wygorn.

Placita Corone tenta coram Domino Edwardo Rege tertio post Conquestum in pleno Parlamento suo apud Westm. die Lune proximo post festum Sancte Katerine Virginis Anno Regni Regis ejusdem Edwardi Quarto.

Thomas de Berkele Miles venit coram Domino Rege in pleno parlamento suo predicto & allocutus de hoc quod cum Dominus Edwardus nuper Rex Anglie pater Domini Regis nunc, in custodia ipsius Thome & ejusdam Johannis Mautravers nuper extitit, liberatus ad salvo custodiendum in Castro ipsius Thome apud Berkele, in Comitatu Gloucestre. et in eodem Castro in custodia ipsorum Thome et Johannis murdratus extitit & interfectus qualiter se velit de morte ipsius Regis acquietare, dicit quod ipse nunquam fuit consentiens auxilians seu procurans ad mortem suam nec unquam scivit de morte sua usque in presenti Parlamento isto. Et de hoc paratus est se acquietare prout Curia Regis consideraverit, & super hoc questum est ab eo ex quo ipse est Dominus Castri predicti & idem Dominus Rex in custodia ipsorum Thome & Johannis extitit liberatus ad salvo custodiendum et ipsi custodiam ipsius Regis receperunt et acceperunt, qualiter se excusare possit, quin de morte ipsius Regis respondere debeat. Et predictus Thomas dicit, quod verum est quod ipse est Dominus Castri predicti et quod ipse simul cum Johanne Mautravers custodiam ipsius Regis recepit ad salvo custodiendum, ut predictum est, sed dicit quod eo tempore quod dicitur ipsum Dominum Regem esse murdratum & interfectum fuit ipse tali & tanta infirmitate apud Bradelye extra Castrum predictum detentus, quod nichil ei currebat memorie. Et super hoc dictum est ei quod ex quo cognovit quod ipse simul cum dicto Johanne custodiam ipsius Domini Regis optinuit, ut predictum est, et ipse Custodes et ministros sub se posuit ad custodiam de eo faciendam si per aliquam infirmitatem se excusare possit quin respondere debeat in hac parte. Et predictus Thomas dicit quod ipse posuit sub se tales Custodes et Ministros in Castro predicto pro custodia faciendam, in quibus se confidebat, ut de seipso, qui Custodiam ipsius Regis simul cum predicto Johanne Mautravers inde habuerunt. Unde dicit quod ipse de morte ipsius Domini Regis, auxilio, assensu seu procuracione mortis sue, in nullo est inde culpabilis. Et de hoc de bono et malo ponit se super patriam. Ideo venit inde jurare

rare coram Domino Rege in Parlamento suo apud Westmonasterium in Octabis Sancti Hillar' proximo futuris &c. ad quem diem venit predictus Thomas coram Domino Rege in pleno Parlamento suo & similiter juravit, scilicet Johannes Darcy, Johannes de Wytham, Willielmus de Trussel, Rogerus de Swynerton, Constantinus de Mortimer, Johannes de Sancto Philiberto, Richardus de Rivers, Petrus Husee, Johannes de Brynton, Richardus de la Rivere, Rogerus de Debenhale, & Richardus de Croupes omnes milites qui dicunt super sacramentum suum quod predictus Thomas de Berkele in nullo est culpabilis de morte predicti Domini Regis patris Domini Regis nunc nec de assensu, auxilio, seu procuracione mortis ejusdem. Et dicunt quod tempore mortis ejusdem Domini E. Regis, patris Domini Regis nunc, fuit ipse tali infirmitate gravatus apud Bradelye extra Castrum suum predictum, quod de vita ejus desperabatur. Ideo idem Thomas inde quietus. Et Juratores questiti si idem Thomas unquam subtraxit se occasione predicta, dicunt quod non. Et quia predictus Thomas posuit Custodes & ministros sub se, scilicet Thomam de Gurney & Willielmum de Ocle ad custodiam de ipso Domino Rege faciendam, per quos idem Dominus Rex extitit murdratus & interfectus datus est ei dies coram Domino rege nunc in proximo Parlamento suo, de audiendo judicio suo &c. Et predictus Thomas de Berkele interim committitur Radulpho de Nevill Seneschallo Hospitii Domini Regis, &c.

In a Box intituled Scotia within a great Chest of the same Title in the old Chapter-house in the Cloyster at Westminster.

David Dei gratia Rex Scotiae omnibus ad quos presentes Literae pervenerint, Salutem. Sciatis ea consideratione quod predecessores & progenitores nostri quondam Reges Scotiae ab antiquioribus temporibus tenuerunt & de jure tenuisse debuerunt regnum Scotiae de Regibus Angliae per legium, homagium & fidelitatem & pro eodem regno simpliciter, pure & sponte, homagia, legia & fidelitates quamplures eorum personaliter fecerunt prout per antiquiora recorda & placita Corona tam in Parlamento quam in Itineribus Camerariorum & Justiciariorum predecessorum & progenitorum nostrorum predictorum nobis satis constat. Concessimus & per presentes obligamus nos, haeredes & successores nostros Reges Scotiae tenere predictum Regnum nostrum Scotiae de excellentissimo Domino nostro & fratre Edwardo Rege Angliae, haeredibus & successoribus suis Regibus Angliae, tanquam de dominis superioribus regni Scotiae per legium, homagium, & fidelitatem, & eisdem fidem tenere ac cum eisdem contra omnes homines vivere & mori in perpetuum, omnibus & omnimodis relaxationibus remissionibus, quietclamantiis & aliis literis quibuscunque per Reges Angliae seu per aliquem eorum in contrarium Regibus Scotiae factis sive concessis non obstantibus. In cujus rei testimonium has literas nostras fieri fecimus patentes in perpetuum duraturas ex consensu & consilio trium statuum regni nostri in presenti parlamento tenso apud Edenburgh existentem in presentia Henrici de Bellomonte Comitis de Bouham & Constabularii Scotiae, Gilberti Cuthbert Comitis de Angus Domini de Prudhow & Mareschalli Scotiae, & Henrici Percy Domini de Alnewick ad hoc specialiter deputatorum per

N. 85. A.

per Dominum Dominum nostrum & fratrem superior' Dominum Scotie.
Dat. primo Novembris in pleno Parlamento, Anno regni nostri quinto.

N. 85. B.
Rot. Scot. 11.
Ed. 3. m. 1.

Edwardus dei Gratia Rex Angliæ & Franciæ & Dominus Hiberniæ & Dux Aquitaniæ, nobili & potenti viro Johanni Duci Brabant & Lotring, consanguineo suo carissimo, Salutem. Sciatis quod cum attendentes inclitum regnum Franciæ ad nos fore jure successorio legitime devolutum, ipsum regnum ut hereditatem nostram legitimam agnoverimus ut eidem nos immiscere voverimus sicut decet, nos debito regimine dicti regni summe solliciti, ac de vestris probitate magnifica, fidelitate solida, & industria circumspecta intime, confidentes vos in regno predicto locum nostrum tenentem Capitaneum, & nostrum Vicarium generalem facimus & præcimus per presentes, concedentes & committentes vobis merum imperium & gladii potestatem ac jurisdictionem omnem, altam & bassam, cognitionem & decisionem omnium tam criminalium quam civilium questionum, cum potestate, judices & ministros prout expedire videritis deputandi, nec non plenum exercitium omnium & singulorum nobis & nostro regimini incumbentium in hac parte, & quæ nos facere possemus & deberemus si presentes essemus ibidem. Et ideo dilectionem & fidelitatem vestram attente rogamus quatenus onus & honorem hujusmodi magnanimitè assumentes circa statum pacificum regionis ipsius ac recuperationem et conservationem nostrorum jurium in eadem, omnem sollicitudinem quam poteritis efficaciter impendatis ac circa debitum et salubre regimen dicti regni et regnicolarum ejusdem, sic instantè et proinde laboreis votivum propositum quod ad observationem jurium dicti regni ut convenit optinemus ipsis nostris fidelibus plenius exprimentes ut vestras fidelitatem et prudentiam debeamus merito commendare et repensiva retributionis alacrius premiare : Mandavimus enim Archiepiscopis, Episcopis, Ducibus, Marchionibus, Comitibus et personis aliis quibuscunque in dicto regno existentibus, ut vobis et deputandis per vos in premissis pareant humiliter et intendant. In cujus &c. Dat. apud Westmonast. vii. die Octobris.

Item consimiles commissiones factæ fuerunt Gulielmo Marchioni Juliacensi fratri Regis carissimo transpositis dictis nominibus, Rex Angliæ & Franciæ, & Rex Franciæ & Angliæ.

Item consimiles commissiones Gulielmo Comiti Hanov. Holand. & Seland ac Domino Frisiciæ transpositis verbis &c. ut supra.

Item consimiles commissiones Wilhelmo de Bohun Comiti North ampt. consanguineo regis carissimo &c. ut supra sub eadem data.

Edwardus Dei gratia Rex Angliæ & Franciæ Dominus Hiberniæ & Dux Aquitaniæ, Archiepiscopis, Episcopis, Ducibus, Marchionibus, Comitibus, Baronibus, & personis aliis quibuscunque in dicto regno Franciæ existentibus, Salutem. Cum nos attendentes inclitum regnum Franciæ ad nos fore jure successorio legitime devolutum, ipsum regnum ut hereditatem nostram legitimam agnoverimus ut eidem nos immiscere voverimus sicut decet, & de debito regimine dicti regni summe solliciti ac de probitate magnifica, fidelitate solida, & industria circumspecta, nobilis & potentis viri

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Johannis Ducis Brabant. & Lotring, consanguinei nostri carissimi intime confidentes ipsum in regno prædicto locum nostrum tenentem Capitaneum & nostrum vicarium fecerimus & præfecimus generalem, concedentes & committentes eidem Duci merum imperium & gladii potestatem ac jurisdictionem omnem altam & bassam, cognitionem & decisionem omnium tam criminalium quam civilium questionum cum potestate Judices & ministros prout expedire viderit deputandi, necnon plenum exercitium omnium & singulorum nobis & nostro regimini incumbentium in hac parte, & quæ nos facere possemus & deberemus, si presentes essemus ibidem. Vobis omnibus & singulis firmiter injungimus, & mandamus quod prefatum Ducem ad exequenda premissa libenter & devota recipiatis & sibi tanquam persone nostre sic prout affectibus pareatis & intendatis humiliter in premissis ut devotionis vestrae promptitudinem debeamus merito commendare, scituri pro certo quod ad humiles esse volumus cum favoris exuberantia gratiosi, & in rebelles prout exegerit vestra protervia sævientes. In cujus &c. Dat. ut supra.

Item consimilia mandata diriguntur eidem sub nomine Guilielmi Marchionis Juliacen.

Edward by the grace of God, King of England and France, and Lord of Ireland, to all those which these Letters shall hear or see, greeting. Know ye, that whereas some People do think, that by the reason that the Realm of Fraunce is devoluted to us as right Heir of the same, and forasmuch as we be King of Fraunce, our Realm of England should be put in Subjection of the King, and of the Realm of Fraunce in time to come; we having regard to the Estate of our Realm of England, and namely, that it never was, nor ought to be in Subjection, nor in the Obeissance of the Kings of Fraunce, which for the time have been, nor of the Realm of Fraunce. And willing to provide for the Suretie and Defence of the said Realm of England, and of our liege People of the same: will, and graunt, and stablish for us and for our Heirs and Successors, by assent of the Prelats, Earls, Barons, and Commons of our Realme of England in this our present Parliament summoned at Westminster, the wednesday next after the Sunday in Middle-lent, the XIV. Year of our said Reign of our Realme of England, and the first of Fraunce, that by the cause or colour of that, that we be King of Fraunce, and that the said Realm to us pertaineth, as afore is said, or that we do us to be named King of Fraunce in our Stile, or that we have changed our Seals, or our Arms, nor for Commandements which we have made, or from henceforth shall make as King of Fraunce, our said Realm of England, nor the People of the same, of what Estate or Condition they be, shall not in any time to come be put in Subjection, nor in Obeissance of us, nor of our Heirs nor Successors, as Kings of Fraunce, as afore is said, nor be Subject nor Obedient, but shall be free and quite of all manner of Subjection and Obeissance aforesaid, as they were wont to be in the time of our Progenitors Kings of England for ever. In witness of which things, &c. Dated at Westminster, &c. the XIV. Year of our Reign of England, and the first of Fraunce.

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N. 86.
Rot. Parl. 14.
Ed. 3. parte
p. 9. 10. Stat.
at large. 14.
of Ed. 3.

N. 87. a.
Avesbury.
Cap. 31.

Philip de Valois que longe tems avoms purfui devers vos per messages toutz autres voies que nos savoms resonables a fin que vcz noz vouffiez avoir rendu nostre droit heritage de France le quele vcz noz avezz longte tems detenu a graunt tort & coupe. Et pur ceo que nos veoms bien que vcz estes en entente de perseverer en votre injurieuse detenuie, sauntz noz seare reson de nostre demaunde, fumez noz entrez en la terre de Flaunders come *Signeur Soverain de cele & passer permi le pais & voz signifioms que pris ovelque nous laide nostre Seigneur Jhesu Christ & nostre droit ouelque le poar du dit pais & ouelque noz gentz et aliez regard le droit que noz avoms a leritage que voz noz detenez a vostre tort, noz treioms vers vous pur mettre brieve fin sour nostre droiturele chalenge si vous vulliez a procher.* Et pur ceo que si graunt poar des gentz assemblez que viegnent de nostre part, et que bien quidoms que voz amenez de vostre part, ne se purroient mye longment tenir ensemble sauntz faire graunt destruction al people al pais, la quele chose chefcun *Chrestiens* doit escheure et specialement *Princes et autres* que se teignent gouvernours de gentz, si desirons moult qui brieve point se preist et pur escheure mortalite de *Chrestiens*, ensi come la querelle est apparent a noz et voz, que la discussion de nostre chalenge se seieit entre nos deux corps a la quele chose noz voz offrons pur les causes susditz, comment que nos puissions bien veer la graunt noblesse de vostre corps vostre sen auxint & avissement, et en cas que vous ne vorroiez cele voie adonques soit mys nostre chalenge pur afiner icelle bataille de voz memes ad cent personnes des plus suffisantz de vostre part & nos memes ad autres tantz de noz gentz lieges. Et si vous ne voilliez lune voie ne lautre que vous noz assignez certain jour devant la ville de Tournaye pur combatre poar encounter poar de deinz et jours prochains apres la date du ceste lettre, et nos offrez dez susditz voloms tut le mounde estre conutz quest nostre desir ne mye pur orguille ne surquidance meas que pur les causes susdites a fin que la volente nostre Seigneur Jhesu Christ monstre entre nous repos poet de puis en puis estre entre Chrestiens que le poar des enemys Dieux feussent resistez et Christientie enfraunchie et lavoie four ceo que eslire voilliez des offrez des susditz noz voilliez signifier par le porteur du cestes lettres et par les vostres a lui felant hastive deliverance. Donc sountz nostre graunt seal a Chyn es Champs de leez Tournaye le xxvii. jour du moys de Juyl, l'an de Grace 1340. feelez d'un grand seau de cire vert.

Responsio dicti D. mini Philippi de Valois ad litteram. supra scriptam.

N. 87. b.
Avesbury.
Cap. 32.

Philip par la grace de Dieux Roi de France a Edward Roy D'engleterre Nous avoms veu voz lettres apportez a nostre court de part vous a Philip de Valois en queles lettres estoient contenutz ascunes requestes que vous feistes al dit Ph. de Valois. Et pur ceo que les ditz lettres ne venoient pas a nous & que les ditz requestes n'estoient pas faitez a nous come apeirt cleirement par le tenor des lettres, noz ne noz feissoms nul response nient mye pur ceo que noz avoms entenduz par les ditz lettres et autrement que vcz estez entrez en nostre roialme de France emportant graunt damage a nous et nostre roialme et a nostre people, mes de volente sauntz nul reson, & nonn regardant ceo que homme lige doit garder a son Seigneur, car vous estez en-

trez

trez encontre vostre homage lige en noz reconnoissant sicom reson est Roi de France et promis obeissance tiel come lon dit promettre a son Seigneur lige si com appeirt plus clerement par voz lettres patentz seales de vostre graunt seale les queles noz avoms depar devers noz et de queles vous devez avoir a taunt devers vos nostre entente si est quant bon nous sembler a de voz getter hors de nostre roialme al honore de nous et de nostre roialme et en profit de nostre people, & a ceo faire avoms ferme esperance en Jhesu Christ, dount tout puissance nous vient quar par vostre entreprise queste de volente & nonn resonable d'este empeschez la saint voiage doutre meer et graunt quantite dez gentz *Chrestiens* mis a mort le service divine apertizez & seint Eglise en meindre reverence. Et du ceo questscript avoiez que vous entendez avoir lost de Fleymyngz nous qui doms estre certains que les bones gentz et les Comunnes du pais se porteront par tiele manere par devers nostre Cofin le Counte de Flatndres lor *Signeur* sauntz meine et noz lor *Seigneur Soverain* quils garderont lor honore et lor loialte. Et que ceo quils ont melpis jusques a cy ceo aad este par malvais conseil dez gentz que ne regardent pas au profit comune ne al honore du pais meas a profit de eaux taunt foulment. Done sountz les *Campes* pres de la *Prieure* Saint Andreu sountz le seal de nostre secret en l'absence du graunt, le xxx^{me}. jour de Juyl, l'an du grace. M. CCC. xl.

REX venerabili in Christo patri J. eadem gratia Archiepiscopo Cantuar. totius Anglia primati, salutem. Cum pridem in Parlamento nostro apud Westmonast. in Quindena Pasche proxime preterito convocato, quedam, legibus & consuetudinibus regni nostri Anglia expresse contraria, & regie dignitati nostre nedum valde prejudicialia set probrosa fuissent minus importune petita, qua nisi per modum statuti tunc permissemus consensari dictum parlamentum fuisset sine omni expeditione in discordia dissolutum, & sic Guerre nostre Francie & Scotie, quas de Consilio vestro ut scitis principaliter assumpsimus, fuissent quod absit verisimiliter in ruina, & nos ad evitanda tanta pericula premissis protestationibus de revocando cum possemus commode que sic a nobis quasi invitis extorta fuerint, illa sigillo nostro sigillari permiserimus illa vice, & postmodum ea de consilio & assensu Comitum & Baronum & aliorum peritorum ex causis legitimis, quia defecit consensus noster, declaravimus esse nulla, nec nomen vel vim habere statuti, ac jam accepimus quod vos unum consilium provinciale in Crastino sancti Lucie proximo futuro apud London convocari mandastis in quo Coepiscopus vestre Provincie contra nos concitare & aliqua nobis prejudicialia circa roborationem dicti pretensti statuti, & in enervationem, depressionem, & diminutionem, jurisdictionis, jurium & prerogativarum nostrorum Regalium ad quorum conservationem astringimur vinculo Juramenti, nec non circa processum inter nos & vos super quibusdam ex parte nostra vobis oppositis pendentem statuere, declarare & super hiis censuras graves intenditis promulgare: Nos volentes tanto prejudicio, ut convenit, obviare, vobis districte prohibemus ne quicquam quod in derogationem, seu diminutionem regie dignitatis, potestatis, & jurium corona nostrorum seu legum & consuetudinum dicti regni nostri, aut in prejudicium processus memorati, vel etiam in roborationem dicti pretensti statuti, vel alias in contumeliam nostri nominis, & honoris, aut in gravamen vel dispendium consiliariorum, vel obsequialium nostrorum cedere poterunt, in dicto consilio vel alibi propositis, statutis, aut aliquoties attemptatis, aut attemptari factis, Sci-

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N. 88.
Rot. Claus. 15.
Ed. 3. parte 3.
m. 25. Dors.

Scituri quod si secus feceritis ad vos ad inimicum nostrum & nostrorum violatorem jurum, gravius quo licite poterimus capiemus. Teste Rege apud Westmonast. primo die Octobris.

N. 89.
Rot. parl. 17.
Ed. 3. n. 23.

Item accordez est & assentuz que le *statut* fait a Westminster a la Quinziesme de Paske, l'an du Regne nostre Seigneur le Roy quinziesme soit de tout *Repellez & anientez & perde nonn de statut*, come celle qu'est *prejudiciel & contraire a leys & usages du Roialme & as Droights & Prerogatives* nostre Seigneur le Roi, mes pur ce que *ascunes Articles* furent *comprise* en meisme le *statut* que sont *raisonables & accordantz a ley & a reson*, il est accordez per nostre Seigneur le Roi & son conseil que des tieux Articles & autres accordez en cest present Parlement soit fait Estatut de novell per l'avis des Justices & autres sages & tenez a touz jours.

N. 90.
Avesbury. p.
97. b. c. 39.

Ludovicus dei gratia Romanorum Imperator semper Augustus, Praeclarus, Edwardo Regi Angliae fratri suo charissimo, salutem, & sinceram dilectionis affectum. Licet innumera grandiaque negotia nostris incumbant humeris & circa illa multipliciter & assidue distrahimur, tamen cum discordia inter te & preclarum Philippum Regem Franciae, affinem nostrum perdidicimus, ex qua tibi & tuo Regno quamplurima personarum & rerum dispendia ipsa non sedata in futurum poterunt evenire, se nostris representat obtutibus, mentem nostram specialius angit & excitat, ut ad tollendam illam, studium & operam nostrae sollicitudinis apponamus. Propter quod scire te volumus quod praefatus Philippus ad requisitionem nostram dedit nobis suis literis potestatem tractandi inter te & ipsum concordiam super discordiam inter vos suscitatum, quam etiam tibi & tuo Regno pensatis diligenter omnibus conditionibus tuis & alligatorum tuorum multipliciter expedire credentes amicitiae tuae persuademus te, quae cum diligentia exhortamur ut ad hoc tuum assensum praebes, quod te et ipsum revocare possumus ad concordiam, et inter vos vera pacis foedera ordinare. Ad quae libenti animo vacare volumus et impendere operosa prosecutionis labores in quo si consiliis nostris consentire et acquiescere volueris ut speramus, placet tibi nobis tuis literis dare potestatem praemissam tractandi concordiam et treugas ad annum vel biennium ordinandi. Nec te moveat amicitia inter nos et Philippum Regem Francorum praedictum, inita et contracta, nam ex quo tu treugas et certos terminos ad tractandum de concordia inter te et praedictum Philippum Regem Francorum accepisti abique nostro scitu, voluntate, et assensu de consilio nostrorum Principum qui ligas pacta et uniones nostras, novenerint quibus visum fuit quod hoc salvo honore nostro facere possemus, concordiam et amicitiam cum dicto Rege Franciae contraximus, et unionem inivimus, vicariatumque tibi per nos commissum ex causis revocavimus praevocatis, pro firmo futurus quod in tractatibus nostris, sic tibi fraterne provideamus, quod si in nostris consiliis acquiescere volueris, causa tua ad finem bonum, mediante nostro auxilio producat. Super quibus tuam amicitiam de nostra intentione plenius informandam, religiosum virum Fratrem Elishardum lectorem ordinis fratrum heremitarum sancti Augustini, specialem nostrae Curiae Capellanum, tuae fraternitati transmittimus quem petimus super praemissis cum celeri expeditione remitti. Dat. Franchinorde xxv. die mensis Junii, Regni nostri anno xxiv. Imperii nostri.

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N. 91.
Ibm. p. 98. 2.

Serenissimo Principi Domino Ludovico Dei gratia Romanorum Imperatori semper Augusto, Edwardus eadem gratia Rex Franciae et Angliae, et Dominus Hyberniae salutem, et votivis semper successibus gratulari. Serenitatis vestrae literas reverenter recepimus inter alia continentes quod praefatus Philippus de Valois ad tractandam inter nos et ipsum concordiam dedit vobis ad requisitionem vestram suis literis potestatem. Et si placeret nobis potestatem hujusmodi vobis dare, libenti vacaretis animo ad dictam concordiam reformandum et quod amicitia inter vos et ipsum Philippum inita minimè nos moveret. Nam ex quo sine scitu et assensu vestro treugas et certos terminos ad tractandum inter nos et dictum Philippum de pace accepimus, dictam amicitiam cum eo de consilio Principum vestrorum quibus visum fuit quod hoc salvo honore vestro possitis facere, contraxistis, vicariatum nobis per vos commissum revocantes. Et quidem zelum quem habetis ad faciendam dictam concordiam plurimum commendamus, volentes vestrae patere notitiae quod nos pacem resonabilem habere cum dicto Philippo semper optavimus, quam in quantum deceuit sumus cum iustitia prosecuti. Et revera votivum nobis foret admodum & acceptum si posset fieri per tanti mediatoris instantiam pax optata. Sed quia scimus jus nostrum in Regno Franciae satis clarum, illud arbitrio dubio non proponimus ducere alicui per literas nostras committendum. Verum dum attentè meditatione pensamus qualiter vestra consideratio circumspècta videns patentem nostram iustitiam & dicti Philippi duritiam obstinatam & injuriam nobiscum, contra dictum Philippum vestra gratia ligam fecit in specialem adoptionis filium, de dilectionis exuberantia nos admittentes, ut cum pace vestra loquamur, mirari non sufficimus quod praetens vestra sublimitas quae ad laudem bonorum & vindictam malorum vel divinitus instituta contra nos dicto Philippo injuriatori nostro notorio se ligavit. Et id quod dicitur nos sine scitu & assensu vestro cum praedicto Philippo treugas & tractatum pacis iniisse, non debuit consideratis facti circumstantiis rationabiliter vos movisse, quia dum obfidebamus civitatem Tornaceam, oportuit nos eorum lequi consilia, qui nobis comitum & auxilium tunc fecerunt, & huiusmodi subita vicinitas ac locorum distantia vestram super hoc consulere celsitudinem minimè permiserunt, immo nobis alias si recolitis concessistis quod cum opportunitas arderet tractare possemus de pace, vobis inconsultis, ita tamen quod sine consensu vestro pacem finalem cum dicto Philippo nullatenus faceremus, quam nunquam facere proponebamus priusquam super hoc vestrum habuissimus providum consilium & assensum. Sed semper in votis gessimus vobis in omnibus facere quod debuimus juxta vires, sperantes quod fraternae vestrae plenitudo benevolentiae nos ad tempus benignius supportasset: videretur etiam aliquibus quod revocatio dicta vicariatus facta fuerat premature cum juxta sponsonem super hoc per imperiales apices nobis factam, non debuisset fieri quousque regnum Franciae vel majorem partem ejusdem pacifice fuissimus adepti. Premissa quæsumus velit vestra nobilitas debite ponderare, & ulterius facere quod debet, quia per Dei gratiam vobis & vestris semper juxta mensuram impenitè nobis benevolentiae gratam faciemus pro viribus repensivam. Celsitudini vestrae donet Altissimus votivae felicitatis augmenta. Dat. London. xviii die mensis Julii. Anno regni nostri Franciae ii. regni vero nostri Angliae xv.

Re-

N. 91.
E veteroi Ro-
muli hujusce
Temporis po-
nes incipit.

Retinentia Regis Edwardi tertii in exercitu suo, in partibus Normaniæ, Franciæ, & coram Cales. Anno regni sui vicefimo.

Ad 20 s. per diem. Dominus Princeps.
Ad 6 s. & 8 d. per diem. Episcopus Dunolmenfis.
Ad 6 s. & 8 d. per diem. Comites. 15.
Ad 4 s. per diem. Barones, & Baneretti. 44.
Ad 2 s. per diem. Milites. 1046.

Ad 1 s. per diem. Scutiferi, Constabularii, Centenarii, & Ductores. 4022.

Ad 6 d. per diem. Vintenarii & Sagittarii equites. 5104.

Ad 6 d. per diem. Pauncenarii. 355.
Ad 6 d. per diem. Hobelarii. 500.
Ad 3 d. Per diem. Sagittarii, pedites. 15480.

Aliqui ad 12 d. 10 d. Cementarii, Carpentarii, Fabri, Ingeniatores, Pavilonarii, Minarii, Armatores, Gunatores & Artillarii. 314.

Unde ducenti Vintenarii ad 4 d. Wallenses pedites. 4474.
residui ad 2 d. per diem.

Magistri Constabularii, Marinarii & Pagetti 700. Navium, bargearum, balingearum, & vitelliarum. 16000.

Summa totalis hominum predictorum præter Dominos. 31294.

Summa totalis vadiorum guerræ cum vadiis Marinariorum a 4^{to} die Junii. Anno 20^{mo}. disti Regis Edwardi 3^{to}. usque 12^{mo}. diei Octobris. Anno 21^{mo}. ejusdem Regis per unum Annum et 131. dies. Ut patet in libro de particulis Computi, Walteri Wetewange tunc Thesaurarii Hospitii. Titulo totale vadiorum guerræ in partibus Normaniæ, Franciæ, et coram Cales. 127201-02-9-06.

And that at Present we may know how the King in these Times was served in his Wars by his Noble Men, and others, I have transcribed the following Instances.

Domino Edwardo Principi Walliæ existenti in obsequio Domini Regis in partibus Normaniæ, Franciæ, et coram Cales, cum retentione sua pro vadiis guerre ad 20 s. undecem Baneretti quolibet capiente per diem 4 s. 102 milites quolibet ad 2 s. 264. Scutiferi, quolibet ad 12 d. 384. Sagittarii equites quolibet ad 6 d. 69. Sagittarii pedites quolibet ad 3 d. 513. Wallenses quorum unus Capellanus ad 6 d. unus medicus unus Proclamator, 5 Standardarii et 25 Vintenarii quolibet ad 4 d. et 480. pedites quolibet ad 2 d. per diem.

Domino Henrico Comiti Lancastriæ existente coram Cales in obsequio Regis cum retentione sua pro vadiis suis guerræ et unius Comitis utroque ad 6 s. 8 d. 11. Baneretti quolibet ad 4 s. 193. milites quolibet ad 2 s. 512. Scutiferi quolibet ad 12 d. 46. homines ad arma equites & 612 sagittarii equites quolibet ad 6 d. per diem.

Do.

Domino Wilhelmo de Bohonn Comiti Northampt. existenti in obsequio Regis in partibus Normaniæ, Franciæ & coram Cales. 2 Baneretti. 46 Milites. 112 Scutiferi. 141 Sagittarii equites ad vadia ut supra.

Domino Thomæ de Hatfeld Episcopo Dunolmenfi ad 6 s. 8 d. per diem. 3 Baneretti. 48 Milites. 164 Scutiferi. 81 Sagittarii equites quolibet capiente ut supra.

Domino Radulpho Baroni de Stafford existenti in obsequio Regis in partibus prædictis cum 2 Banerettis. 20 Militibus. 92. Scutiferis. 90 Sagittarii Equites quolibet capiente ut supra.

Domino Wilhelmo de Wareyne Militi & aliis. 95 Milites. 313 Scutiferi. 394 Sagittarii, Hobelarii, Pauncenarii, Equites, & 46 Sagittarii pedites. de eorum retinentia quolibet capiente ut supra.

The Retinue of King Edward the third in his Army in Normandy, France, and before Calais in the 20th Year of his Reign

The Prince by the Day. 20 s.
The Bishop of Durham. 6 s. 8 d.
Thirteen Earls each by the Day. 6 s. 8 d.
Fourty four Barons and Baneretts.
Each by the Day. 4 s.
One Thousand fourty six Knights.
Each by the Day. 2 s.

Esquires, * Constables, Captains and Leaders. 4022. each by the Day. 1 s.
Vintenars that had the command of 20 Men or as our Serjeants, and Archers on horseback. 5104. each by the Day. 6 d.

Pauncenars, they were most strangers, but what otherwise I know not, 355. by the Day each. 6 d.
Hobelars 500. by the Day each. 6 d.
Archers on foot 15480. by the Day each. 3 d.

Mafons, Carpenters, Smiths, Engineers, Tent-makers, Miners, * Gunners armed, and those that had the Care of the Artillery. 314. some at a Shilling others at 10 d. 6 d. and 3 d. by the Day.

Welshmen, foot 4474. whereof 200 Vintenars each by the Day 4 d. the Residue each by the Day. 2 d.

The whole Number of the Men of the Army was besides the Lords 31294. Masters, Captains, Mariners and Boys for 700 Ships, Barges, Balingers and Victuallers 16000.

The Summ Total of the War, with the Wages of the Mariners from the 4th of June in the 20th Year of Edward the third, to the 12th of October in the 21st Year of his Reign; one Year and a Hundred 31 Days. 127101 l. 2 s. 9 d. ob. as it appears in the Book of particulars of the Account of Walter Wetewange, then Treasurer of the Household. Under the Title of the Total of the Wages of the War in Normandy, France, and before Calais.

Barones cum eorum retentione.

Milites cum eorum retentione.

* Constables were Officers and Commanders.

* The English had five pieces of Cannon at the Battell of Cressly. Mezeray. f. 369.

The

The following Instances makes this Service more plain

In eodem Rotulo.

To **Edward Prince of Wales** being in the Kings service in Normandy, France and before Calais, with his Retinue for his Wages of War 20 s. a Day. Eleven Banerets, every one taking 4 s. a Day. 102 Knights each 2 s. a Day. 264 Escuires, each 12 d. a day. 384 Archers on horseback each 6 d. a Day. 69 foot Archers each 3 d. a Day. 513 Welshmen, whereof one Chaplain at 6 d. a Day. One Physician, one Herald or Cryer. 5 Ensignes, 25 Serjeants or Officers over 20 Men each 4 d. a Day. 480 footmen each 2 d. a Day.

Earls and their Retinue.

To **Henry Earle of Lancaster**, being in the Kings service before Calais with his Retinue, for his wages of War, and one other Earle each 6 s. 8 d. a Day. Eleven Banerets each 4 s. a Day. 193 Knights each 2 s. a Day. 512 Escuires each 12 d. a Day. 46 Men at Armes, and 612 Archers on Horseback each 6 d. a Day.

To **William Bohun Earle of Northampton** being in the Kings service in Normandy, France, and before Calais. 2 Banerets. 46 Knights. 112 Escuires. 141 Archers on Horseback. For their Wages as above.

The Bishop of Durham and his Retinue.

To **Thomas Hatfield Bishop of Durham** 6 s. 8 d. a Day. 3 Banerets. 48 Knights. 164 Escuires. 81 Archers on Horseback, every one taking as above.

Barons with their Retinue.

To **Ralph Baron of Stafford**, being in the Kings service in the places aforesaid, with 2 Banerets. 20 Knights. 92 Escuires. 90 Archers on Horseback. Every one taking as above.

Knights with their Retinue.

To **William de Wareyne Knight**, and other 95 Knights, 313 Escuires. 394 Archers, Hobelars, or Light-horsmen, Paunceners on horseback, and 46 foot Archers of their Retinue, every one taking as above.

The **Chiefs of the Forreigners**, and Strangers that were in the Kings service, were commonly paid in Grose. So many Thousand or Hundred Pounds, for their own Wages and their Mens: Pro vadiis suis & hominum eorum, According to their own Quality, and the Numbers and Quality of those they brought with them.

Litera super correctione Articulorum.

N. 93. Look for this Number and Number 94 95. and 96. in the History, and a Paragraph or two before this Number, and there are Directions where to find the original.

Universis presentes Literas inspecturis Frater Andreyus miseracione Divina humilis Abbas Cluniacen' Apostolica sedis Nuncius Salutem in Eo qui est omnium vera salus.

Noveritis quod Illustrissimus Princeps & Dominus, Dominus Johannes Dei Gratia Francorum Rex in Pace finali inter ipsum & Excellentissimum Principem & Dominum, Dominum Regem Anglie noviter reformatâ, Literas suas eidem Regi Anglie Nobis presentibus concessit & tradi fecit sub hac Forma.

Jehan par la grace de Dieu Roy de France scavo'r faisons a tous presens & avenir, Que nous avons veu le *Traicte d'Accort* fait naguieres par certains *Traicteurs* & *Procureurs* entre nous & notre treschier Frere le Roy d'Angleterre contenue la fourme qui s'ensuit.

Charles

Charles ainse fitz du Roy de France Regent le Royaume Duc de Normandie & Dalphin de Vienne. A Tous ceuls qui ces presentes Lettres verrent, Salut.

Nous vous faisons scavo'r que de tous les Debas & Descors quelconques menez & demenez entre Monsieur le Roy de France & nous pour lui & pour nous & pour touz ceuls a quil appartient d'une part, Et le Roy d'Angleterre et touz ceuls a quil puit touchier de la Partie d'autre. Pour Bien de Paix est accorde le viii. Jour de May, l' An Mil trois cens soixante a Bretigny de les Chartres en la maniere qui ensuit.

1. Premièrement que le Roy d'Angleterre avec ce quil tient in Guienne & in Gascoigne aura pour lui & pour les Hoires perpetuellement a touz jours tous les Choses qui sensuivent a tenir par la maniere que le Roy de France & son Filz ou aucune de ces Ancestres Roys de France les tindrent.

Cest asavoir ce que en demain en demain & que en sie en sie & par le temps & maniere dessus esclarciz la Cite le Chastel la Conte de Poitiers & tout la Terre & le Pais de Poitou, enlamble le sie de Tournay, & la Terre de Belleville, la Cite & le Chastel de Xaintes, et tout la Terre et le Pais de Xaintonge, par de ca et par de la, la Charente et la Cite et le Chastel d' Agen, et la Terre et le Pais d' Agen et la Terre et le Pais d' Agenois, la Cite le Chastel et tout la Conte de Pierregort, et la Terre et le Pais de Pierreguis, la Cite et le Chastel de Limoges, et la Terre et le Pais de Limosin, la Cite et le Chastel de Cournay, et la terre et le Pais de Cournay, la Cite le Chastel et le Pais de Tarbe, et la Terre et le Pais et la Conte de Bigorre, la Conte la Terre le Pais de Gaure, la Cite le Chastel d' Angouleme, et la Conte et la Terre et le Pais d' Angoumois, la Cite & le Chastel de Rodes, la Terre & le Pais de Rouargne & si il y a aucunes Seigneurs comme le Conte de Foix, le Conte d' Armagnac, le Conte de Lisle, le Count de Pierregort, le Viconte de Limoges, ou autres qui tiennent aucunes Terres ou Lieux dedans les Metes dez diz Lieux, il feront Homage au Roy d'Angleterre, & touz autres Services et Devoirs deus a cause de leurs Terres & Lieux en la maniere quil ont fait, ou temps passe.

2. Item aura le Roy d'Angleterre tout ce que le Roy d'Angleterre ou aucunes des Roys d'Angleterre anciennement tindrent en la Ville de Montereul sur la Mer et les Appartenances.

3. Item aura le Roy d'Angleterre tout la Conte de Pontieu tout entierment sauf et excepte que se aucunes choses ont este alienees par les Roys d'Angleterre qui ont este par le temps de la dicte Conte et appartenances et a autres Personnes que aus Roys de France le Roy de France ne sera pas tenuz de les rendre au Roy d'Angleterre, et se les dictes alienations ont este faits aus Roys de France qui ont este par le temps sans aucune moyen et le Roy de France les tiengne a present en sa main il les laissera au Roy d'Angleterre entierment, Excepte que se les Roys de France les ont eu par echange, et autres Terres le Roy d'Angleterre delivra au Roy de France ce que ou a eu par echange, ou il li laissera les choses ainsi alienes. Mais se les Roys de Angleterre qui ont este par le temps en

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avoient aliene ou transporte aucunes choses en autres Personnes que aus Roys de France et depuis soient venues es mains du Roy de France eu aussi par partage le Roy de France ne fera pas tenu de les rendre aussi se les choses dessus dites devoient Hommage le Roy les baillera a autres qui en feront Hommage au Roy d'Angleterre, et si ils ne devoient hommage le Roy de France bailera un tenent quil y en fera le devoir dedanz un an prochain, apres ce quil fera partiz de Calais.

4. Item le Roy d'Angleterre aura le Chastel & la Ville de Calais, le Chastel et la Ville et la Seigneurie de Merk, les Villes, Chasteaux et Seignories de Sangale, Conloigne, Harnes, Wale, et Oye, avec Terres, Bois, Mares, Rivières, Rents, Seignories, advoysons d'Eglises et toutes autres appartenances et Lieux entregifans dedans les Mettes ou Bonnes qui sentuit.

Cest ascaboir des Calais jusques au fil de la rivière par devant Gravelingues et aussi per mesme le fil de mesme la rivière tout entour l'Angle et aussi par la rivière qui va par dela Poil et aussi per mesme la rivière qui chiet en grant Laq de Guines et jusques a fretun et dilec par la Valec, entour la Montaigne de Kalkuli, encléant mesme la Montaigne et aussi jusques a la mer avec Sangale et toutes les Appartenances.

5. Item le dit Roy d'Angleterre aura le Chastel & la Ville & tout entierement la Conte de Guines avec toutes les Terres, Villes, Chasteaux, Forteresces, Lieux, Hommes, Hommages, Seignories, Bois, Fores, Droitures, dicelles aussi entierement, comme le Conte de Guines derrier mort les tint au temps de sa mort, & obeiront les Eglises & les bonnes Gens, estans dedans les Limitations du dit Conte de Guines, de Calais & de Merk & des autres Lieux dessus diz au Roy d'Angleterre ainsi comme il obeissoient au Roy de France & au Conte de Guines, qui sur par le temps toutes les quelles choses de Merk, & de Calais contenues en ce present Article, & en l'Article prochain precedent le Roy d'Angleterre, tendra en demaine, Excepte les Heritages des Eglises, qui demourront aus dites Eglises entierement quelque part quil soient assis, & aussi exceptez les Heritages des autres Gens des Pais de Merk & de Calais assis hors de la Ville de Calais, jusques a la Valeur de cent Livrees de Terre par An de la monnoye courant au Pais & au desouz les quels Heritages leur demourront jusques a la Value dessus ditte & au desouz mais les Habitacions & Heritages assis en la ditte Ville de Calais avec leurs Appartenances demourront en demaine au Roy d'Angleterre pour en ordener a sa Volente, & aussi demourrent aus Habitans en la Conte, Ville, et Terres de Guines, tous leurs Demaines entierement & yrevendront pleinement sauf ce que dit est des Confrontations, Mettes, & Bonnes en l'Article prochain precedent.

6. Item est accorde que le Roy d'Angleterre & ces Hoires auront et tendront toutes les Isles adjacens aus Terres, Pais et Lieux avant nommes ensamble avecques toutes les autres Isles les quelles le dit Roy d'Angleterre tient a present.

7. Item

7. Item accorde est que le dit Roy de France & son ainnez Fitz le Regent pour eulx et pour touz leurs Hoires et Successeurs au plus tost que lon pourra sanz fraude et sans mal engin et a plus tard dedans la feste saint Michiel prochain venant en un An rendront, bailleront, & delivreront au dit Roy d'Angleterre & a touz les Hoires & Successeurs, & transporteront en eulx toutes les Honneurs, Obediences, Hommages, Ligeances, Vasseauls, Fiez, Services, Reconnoissances, Droitures, mere & mixte Impere & toutes manieres de Jurisdiccions hautes & basses, Sauves-gardes, advoysons et patronages d'Eglises et tout le droit quil avoient, et pouvoient avoir, appartenoint, appartenient ou pouent appartenir pour quelque cause, titre ou couleur de droit a eulx aus Roys et a la Coronne de France pour cause des Cites, Contes, Chasteaux, Villes, Terres, Pais, Isles et Lieux avant nommes, et de tous leurs Appartenances et Appendances quelque Part quil soient et chascune dicelles aussi manderont lez diz Roy et son ainnez Fitz par leurs Lettres patentes a touz Archevelques, Evêques et autres Prelas de Sainte Eglise et aussi aux Contes, Vicontes, Barons, Nobles, Citoiens, et autres quelconques des Cites, Contes, Terres, Pais, Isles. Lieux avant nommez quil obeissent au Roy d'Angleterre, et a ses Hoires et a leur certain commandement en la maniere quil ont obei aus Roys et a la Coronne de France et par mesmes les lettres, lez quiteront et absoudront au mieulx quil se pourra faire de touz Homages, Fois, Seremens, Obligations, Subjections, et Promesses faiz par aucun deulx au Roy et a la Coronne de France.

8. Item est accorde que le Roy d'Angleterre aura les Contes, Cites, Chasteaux, Terres, Pais, Isles & Lieux avant nommes avec toutes les Appartenances & les Appendances quelque part quil soient a tenir a lui & a tous ses Hoires et Successeurs hereditablement & parperuelment en demaine ce que le Roy de France y avoit en demaine & aussi en fie & service ce que les Roys de France y avoient par telle maniere, sauf tout que dit est par dessus en l'Article de Calais & de Merk & ses des Cites, Contes, Chasteaux, Terres, Pais, Isles, & Lieux avant nommes, Drois mere & mixte Impere & Jurisdiccions, & proufiz quelconques, que tenoit aucun Roy d'Angleterre illeques ou en leurs Appartenances & Appendances quelconques aucunes Alienations, donations, Obligations, ou charges ont este faiz par aucun des Roys de France qui ont este par le temps puis lxx Ans, en ca pour quelque cause ou forme que ce soit, toutes telles Donations, Aliations, Obligations & Charges, sont delores & seront du tout rapeles, cassees & adnullées et toutes choses ainsi donnees, alienees, ou chargiez seront realment & de fait rendues & baillées au dit Roy d'Angleterre, ou a ses Deputes especialment en mesme l'entièrete comme il furent aus Roys d'Angleterre depuis lxx Ans en ca au plus tost que lon pourra sanz mal engin, & au plus tard dedans la Sainte Michiel prochain venant en un An a tenir au dit Roy d'Angleterre & a touz ses Hoires & Successeurs parperuelment & hereditablement par maniere que dessus est dit, Excepte ce qui est dit par dessus en l'Article de Pontieu, qui demourra en sa force, & sauf & excepte toutes les choses donnees

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& alliees aus Eglises qui leur demourrant paisiblement en touz les Pais & Lieux ci dessus et dessous nommes, si que les Personnes des dites Eglises prient diligemment pour les diz Roys comme par leurs fondeurs, sur quoy leurs consciences en seront chargez.

9. Item est accorde que le Roy d' Angleterre toutes les Cites, Contes, Chasteaux et Pais dessus nommez qui anciennement n'ont este des Roys d' Angleterre, aura et tendra comme le Roy de France ou ses Filz les tiennent a present. A

10. Item est accorde que se dedans les mettes des diz Pais qui furent anciennement des Roys d' Angleterre auroient aucunes choses qui autrefois n'eussent est des Roys d' Angleterre dont le Roy de France estoit en possession le jour de la bataille de Poitiers qui fu le xix. Jour de Septembre l' An Mil. ccc. lvi. Elles seront demourrant au Roy d' Angleterre & a ses Hoirs par la maniere que dessus est dit. B

11. Item accorde est que le Roy de France & son ainsnez Filz le Regent pour eulx & pour touz leurs Hoirs & pour touz les Roys de France & leurs Successeurs a touz jours au plus tost que se pourra faire sanz mal Engin & au plus tard dedans la Saint Michiel prochain venant & un An, rendront & bailleront au dit Roy d' Angleterre & a touz ses Hoirs & Successeurs & transporteront en eulx touz les Honneurs, Obediances, Hommages, Ligeances, Vasseauls, Fiez, Services, Reconnoissances, Seremens, Droitures, mere & mixte Impere, & toutes manieres de Juridictions hautes et basses sauves-gardes, et Seignories, qui appartiennent et appartiennent ou pourroient en aucune maniere appartenir au Roy et a la Coronne de France ou a aucune autre Personne a cause du Roy et de la Coronne de France en quelque temps, es Cites, Contes, Chasteaux, Terres, Pais, Isles et Lieux avant nommes, ou en aucune deulx ou leur Appartenances et Appendances quelconque ou es Personnes, Vasseaulz et Subgiez quelconques diceulx. C D

The twelfth Article was entirely left out of the Treaty of Peace, Corrected at Calais when the two Kings met there.

13. Item est accorde a fin que ce present Traicte puisse estre plus briefement accompliz que le Roy d' Angleterre fera amener le Roy de France a Calais dedans trois semaines apres la Nativite saint Jehan Baptiste prochain venant, cessant tout juste empeschement aus despens du Roy d' Angleterre hors les frais de l' Ostel du dit Roy de France. E

14. Item accorde est que le Roy de France paiera au Roy d' Angleterre trois Millions d' Escuz d' Or, dont les deux valent un Noble de la Monnoye d' Angleterre & en seront paiees au dit Roy d' Angleterre ou a les Deputez six Cens Mil escuz a Calais dedans quatre Mois acompter depuis que le Roy de France sera venu a Calais et dedans l' An des lors prochain ensuit en seront paieez quatre Cens Mil Escuz tels comme dessus en la Cite de Londres en Angleterre, & deslors chascun An prochain ensuit iiiii. Mil. F

Mil Escuz tels comme devant en la ditte Cite jusques a tant que les diz trois Millions seront parpaies.

15. Item est accorde que pour paient les diz vi. Mil Escuz a Calais & pour baillant les Hostages ci dessous nommes & delivront au Roy d' Angleterre dedans les quatre Mois, acompter depuis que le Roy de France sera venu a Calais, comme dit est, la Ville le Chastel & les Fortereces de la Rochelle, & les Chasteaux, Fortereces, & Villes de la Conte de Guines avec toutes les Appartenances et Appendances, la Personne du dit Roy sera tout delivre de Prison & pourra partir franchement, mais il ne pourra armer ne ses Gens contre le Roy d' Angleterre jusques a tant quil ait accompli ce qui est tenuz de faire par ce present Traicte et sont Hostages tant Prisonniers pris en la Bataille de Poitiers comme autres qui demourront par le Roy de France ceulx qui sensuit. B

Cest astavoir Monsieur Loys Conte d' Anjou, Monsieur Jehan-Conte de Poitiers Filz au Roy de France le Duc d' Orleans Frere du dit Roy, le Duc de Bourbon, le Conte de Blois, ou son Frere, le Conte d' Alencon ou Monsieur Pierre d' Alencon son Frere, le Conte de Saint Pol, le Conte de Harcourt, le Conte de Portien, le Conte de Valentinois, le Conte de Breine, le Conte de Vaudemont, le Conte de Foreis, le Viconte de Beaumont, le Sire de Coucy, le Sire de Fienne, le Sire de Preaux, le Sire de Saint Venant, le Sire de Garenieres, le Dalphin d' Auvergne, le Sire de Hangeft, le Sire de Montmorency, Monsieur Guillaume de Craon, Monsieur Loys de Harcourt, Monsieur Jehan de Ligny. Les noms des diz Prisonniers sont tiels, Monsieur Philip de France, le Conte d' Eu, le Conte de Longueville, le Conte de Pontieu, le Conte de Tancarville, le Conte de Jogny, le Conte de Sancerre, le Conte de Danmartin, le Conte de Vantadour, le Conte de Sailebruche, le Conte de Auxerre, le Conte de Vendosme, le Sire de Craon, le Sire de Rual, le Marechant d' Andeneham, le Sire d' Aubigny. C D

16. Item est accorde que les dessus diz Prisonniers qui deuront demourer en Hostage par le Roy de France comme dit est seront par mi ce delivres de leurs Prisons sanz paier aucun Raencon par Couvenances faits par avant le tiers jour de May dernierement passe, & se aucun d' eulx est hors d' Angleterre & il ne seront a Calais en Hostage dedans le premier mois apres les dites trois semaines de Saint Jehan cessant juste empeschement il ne fera pas quittez de sa Prisonne mais sera contrains par le Roy de France a retourner en Angleterre comme Prisonnier ou a paier la peine par lui promise, & encorree par default de son Retour. E

17. Item est accorde que en Lieu des diz Hostages qui ne vendront a Calais ou qui mouront ou se departiront sanz conge hors du pouvoir du Roy d' Angleterre, le Roy de France sera tenuz d' en baillier d' autres de samble estat au plus pres qu'il pourra estre fait dedans quatre Mois prochain apres que le Bailiff d' Amiens ou le Maire de Saint Omer en sera sur ce par Lettres du dit Roy d' Angleterre certifiez. Et porra le Roy de France F

France a son departure de Calais en mener en la Compaignie dix des Hostages tels come les deus Roys accorderont & souffira que du nombre de Quarante dessus dit en demeure jusques au Nombre de Trente.

18. Item accorde est que le Roy de France dedans trois Mois apres ce quil sera partis de Calais rendra a Calais en Hostage quatre Personnez de la Ville de Paris, & deux Personnes de chaſcun des Villes don les noms ſenſuivent. C' eſtaſcaveir de Saint Omer, Arras, Amiens, Beauvais, Liſle, Douay, Tournay, Reins, Chaalons, Troyes, Chartres, Tholouſe, Lionz, Orleans, Compiègne, Roan, Caen, Tours, Bourges, les plus ſouffisans des dittes Villes pour l'accompliement de ce preſent Traicte.

19. Item eſt accorde que le Roy de France ſera amenez d' Angleterre a Calais & demourra a Calais par quatre Mois apres la venue, mais il ne pœra riens du premier Mois pour cauſe de la garde & pour chaſcun des autres Mois enſuivant quil demourra a Calais par default de luy ou de ſes Gens il paiera pour ſes gardes dix Mil Royauls telz comme il courront a preſent en France avant ſon departir de Calais & auſſi au future du temps qu'il y demourra.

20. Item eſt accorde que au plus toſt que faire ſe pourra dedans l' An prochain apres ce que le Roy de France ſera partiz de Calais, Monſire Jehan Conte de Montfort aura la Conte de Montfort, avec toutes ſes Appartenances en faiſant Homage, Lige, au Roy de France, & devoir & ſervice en touz cas comme bon & loyal Vaſſaul Lige doit faire a ſon Seigneur Lige a cauſe la ditte Conte & auſſi li ſeront renduz ſes autres Heritages qui ne ſont mie de la Duchie de Bretagne en faiſant Homage ou autre Devoir, qui il appartendra, & ſe il veult aucune choſe demander en aucuns des Heritages qui ſont de la ditte Duchie hors du Pais de Bretagne bonne & brieve Raiſon li ſera faite par la Cour de France.

21. Item ſur la Queſtionne du demaine de la Duchie de Bretagne que eſt entre le dit Monſire Jehan de Montfort d' une partie, & Monſire Charles de Bloys d' autre partie, accorde eſt que les deux Roys appelez par devant eulx ou leurs Deputes eſpecials les parties principals de Bloys & de Montfort ſ'enforment du droit des Parties, & ſ'enforcent de mettre les Parties a Accord ſur tout ce que eſt en debat, entre eulx, au plus toſt que il pourront, Et en cas que les diz Roys par eulx ne par leurs Deputes ne les pourront accorder dedans un An prochaine apres que le Roy de France ſera arrivez a Calais, les Amis d' une partie & d' autre ſ'enforment diligement du droit des Parties, & par maniere que deſſus eſt dit & ſ'enforcent de metre les dittes Parties a Accord au mieux que faire ſe pourra au plus toſt qu'il pourront, & ſe il ne les peuent mettre a Accord dedans demi An adonc prochaine enſuit, il rapporteront aus diz deux Roys ou a leur Deputes tout ce qu'il auront trouve ſur la droite des dittes Parties & ſur quoy le Debat demourra entre les dittes Parties & adonques les diz Roys par eulx ou par leurs Deputes eſpecial

eſpecial au plus toſt qu'il pourront mettront les dittes Parties a Accord en diront leur final avis ſur le droit de l' une partie & de l' autre & ce ſera exequé par les deux Roys, & en cas qu'il ne pourront faire dedans demi An des lors prochain enſuit, adonc les deux Parties principals de Bloys et de Montfort ſeront ce qui mieux leur ſemblera, & les amis d' une Partie & d' autre aideront quelque partie qu'il leur plaira ſanz empeschement des diz Roys, & ſanz avoir en aucun temps domage, blaſme, ne reproche par aucun des diz Roys par la cauſe deſſus ditte, & ſe ainſi eſtoit que l' une des dittes Parties ne vouſſit comparoir ſouffſamment devant les diz Roys ou leurs diz Deputes, ou temps qui li ſera eſtabli, & auſſi en cas que les diz Roys ou leurs Deputes auroient ordene & declare que les dittes Parties ſeuſſent a Accord ou qu'il auroient dit leurs avis pour le droit d' une Partie, & aucune des dittes Parties ne ſe vouldroit accorder a ce, ne obeir a la ditte, Declaration adonc les diz Roys ſeront encontre luy de tout leur pouvoir & en ayde a l' autre qui ſe vouldroit accorder & obeir. Mais en nul cas les deux Roys par leur propres Personnes, ne par autre ne pourront faire ne entreprendre Guerre l' une a l' autre pour la cauſe devant ditte. & touz jours demourra la Souverainete & Homage de la ditte Duchie au Roy de France.

22. Item que toutes les Terres, Pais, Villes, Chateaur & autres Lieux baillies au diz Roys ſeront en telles Libertez & Franchiſes comme il ſont a preſent & ſeront confirmees par les diz Seigneurs Roys ou par leur Successeurs ou par chaſcun deulx toutes les fois qu'il en ſeront ſur ce duevement Requis ſe contraindre n' eſtoient a ce preſent Accord.

23. Item le dit Roy de France rendra & ſera rendre & ceſſa- blir de fait a Monſire Philippe de Navarre & a touz ſes adherens en apres au plus toſt que l' on pourra ſanz mal engin & au plus tard dedans un An prochain apres que le Roy de France ſera partiz de Calais, toutes les Villes, Fortereſces, Chateaux, Seignories, Drois, Rents, Profis, Juridiſſions, & Lieux quelconques que le did Monſire Philippe tant pour cauſe de luy que pour cauſe de ſa Femme ou ſes diz adherens tindrent ou devoient tenir au Royaulme de France & ne leur ſera jamais le dit Roy Reproche, domage ne empeschement pour aucun choſe faite avant ſes heures & leur pardonra toutes Offences & meſpriſes du temps paſſe pour cauſe de la Guerre, & ſur ce auront ſes Lettres bonnes & ſouffſans, ſi que le dit Meſſire Philippe & ſes diz adherens retournent en ſon Hommage & luy facent les devoirs & li ſoient bons & loiaux Vaſſaulx.

24. Item eſt accorde que le Roy d' Angleterre pourra donner ceſt fois tant ſeulement a qui lui plaira en heritage toutes les Terres & Heritages qui furent de ſie Monſire Godeſroy de Harecourt a tenir du Duc de Normandie au d' autres Seigneurs de qui elles doivent eſtre tenues par raiſon parmi les Hommages & Services anciennement accoutumez.

25. Item eſt accorde que nul homme ne Pais qui ayt eſte en l' obeiſſance de l' une partie & vendra par c' eſt Accord a l' obeifſance

sance de l'autre Partie ne soit empêchiez par chose faite ou temps passé.

26. Item est accorde que les Terres des Bannis & adherens de l'une Partie et de l'autre et aussi les Eglises de l'une Royaume et de l'autre, et que touz ceux qui sont desheritez ou Offtes de leurs Terres ou Heritages ou chargez d'aucune Pension, Taille, ou Redevance ou autrement grevez en quelque maniere que ce soit pour cause de cest Guerre, soient restituez entierment en mesme le droit et Possession qu'il eurent avant la Guerre commencee, & que toutes Manieres de forsaitures, trespas & mesprisons faiz par eulx ou aucune d'eulx en moyen temps soient du tout pardonnees, & ces choses soient faites au plus tost que l'on pourra bonnement et au plus tard dedans un An apres que le Roy sera partiz de Calais. Excepte ce que est dit en l'Article de Calais, de Merk, et des autres Lieux nommez au dit Article. Excepte aussi la Viconte de Froniac, et Monsire Jehan de Galart les quelz ne seront point compris en cest Article, mais demourront les biens et Heritages en l'estat qu'il estoient par avant ce present Traicte.

27. Item est accorde que le Roy de France delivra au Roy d'Angleterre au plus tost qu'il pourra bonnement, et donra et au plus tard dedans un An prochain apres son departir de Calais toutes les Cites, Villes, Pais et autres Lieux desuz nommez qui par ce present Traicte doivent estre baillies au Roy d'Angleterre.

28. Item est accorde que en baillant au Roy d'Angleterre ou a autre par lui par especial Deputez, les villes et Forteresces et toute la Conte de Montfort, les villes et Forteresces et toute la Conte de Ponthieu, la Cite et le Chastel de Xainctes, les Chasteaux, Villes, et Forteresces et tout ce que le Roy tient en demaine au Pais de Xaintonge, de ca et de la Charente, le Chastel et la Cite d'Angoleme, et les Chasteaux, Forteresces, et Villes que le Roy de France tient en demaine au Pais d'Angolemois, avec Lettres et Mandemens des delaisemens des foy et hommages, le Roy d'Angleterre a ses propres couz et frais delivra toutes les Forteresces prises et occupees par lui et par ses subgiez, adherens, et allies es Pais de France, de Tourraine, d'Anjou, du Maine, de Berri, d'Auvergne, de Bourgoigne, et de Champagne, de Picardie et de Normandie, et de toutes les autres partiez, Terres et Lieux, du Royaume de France. Excepte celles du Duchie du BreTAGNY et de Pais et Terres qui par ce present Traicte doivent appartenir et demourer au Roy d'Angleterre.

29. Item est accorde que le Roy de France fera baillier et delivrer au Roy d'Angleterre ou a ses Hoirs ou Deputez toutes les Villes, Chasteaux, Forteresces, et autres Terres, Pais et Lieux avant nommez avec leurs Appartenances aus propres Couz et fraiz du dit Roy de France & aussi s'il y avoit aucuns Rebelles ou Desobeissans de rendre, baillier, ou restituir au dit Roy d'Angleterre aucunes Cites, Villes, Chasteaux, Paix, Lieux, ou Forteresces qui par ce present Traicte li doivent appartenir, le Roy de France sera tenuz de les faire delivrer au Roy d'Angleterre a ses despens, & semblablement le Roy d'Angleterre fera delivrer a ses despens les Forteresces qui par ce present

sent Traicte doyvent appartenir au Roy de France : & seront tenuz les diz Roys & leurs Gens a euls entre ayder quant a ce requis en seront aus gages de la Partie que le requerra, qui seront d'un Florin de Florence par Jour par Chevalier & demy Florin par Escuyer & pour les autres au fuer & du surplus des doubles gages : & est accorde que si les gages sont trop petiz en regard au merchie des vivres en pais, il en sera l'ordenance de quatre Chevaliers pour c'es leus c'est a avoir deux d'une Partie & deux d'autre.

30. Item est accorde que les Archevesques, Evêques, & autres Prelas & Gens de Sainte Eglise a cause de leur temporalite seront subgiez de celui des deux Roys sous qu'il tendront leur temporalite, & s'il ont temporalite sous touz les deux Roys il seront subgiez de chascun des deux Roys par leur temporalite qu'il tendront sous chascun diceulx.

31. Item est accorde que bonnes, alliances, amitez, & Confederations soient faites entre les deux Roys de France & d'Angleterre & leurs Royaumes en gardent la Conscience & l'honneur de l'un Roy, & de l'autre, non obstant quelconque Confederation qu'il aient de ca & de la avec quelconques Personnes, soient d'Escoce, de Flandres, ou d'autre Pais quelconques.

32. Item accorde est que le dit Roi de France & son ainnez Filz le Regent pour eulx et pour leurs Hoirs Roys de France, si avant comme il pourra estre fait, se declayront et departiront du tout les Aliances qu'il ont avec les Escoz et prometteront se avant comme faire se pourra que jamais euls ne leurs Hoirs ne les Roys de France qui par le temps seront ne donneront ne seront au Roy ne au Royaume d'Escoce ne aus Subgiez dicelli present et avenir, confort, aide ne faveur contre le dit Roy d'Angleterre, ne contre ses Hoirs et Successeurs, ne contre son Royaume, ne contre ses Subgiez en quelque maniere, et qu'ils ne seront autres Aliances avec les diz Escoz en aucune temps avenir, contre les diz Roys et Royaume d'Angleterre. Et semblablement si avant comme faire se pourra le Roy d'Angleterre et son ainnez Filz se declayront et departiront du tout des Aliances qu'il ont avec les Flamens et prometteront que euls ne leurs Hoirs ne les Roys d'Angleterre qui par le temps seront, ne donneront ne seront aus Flamens presens et avenir aide, confort ne faveur contre le Roy de France ses Hoirs et Successeurs ne contre son Royaume, ne contre ses Subgiez en quelque maniere, et qu'il ne seront autre Aliances avec les diz Flamens en aucune temps avenir contre les Roys et Royaume de France.

33. Item accorde est que les Collations & Provisions faites d'une partie et d'autre des benefices vacans tant comme la Guerre adure tiennent et soient valables, et que les frais issues, et reventures receuz et levez de quelconque Benefice ou autres choses temporels quelconques es diz Royaume de France et de Angleterre par l'une Partie et par l'autre durant les dittes guerres soient quittes d'une Partie et d'autre.

34. Item que le Roy des dessus ditz soient tenuz de faire confermer toutes les choses dessus dites par nostre saint Pere le Pape et seront valles par seremens, sentences, censures de Court de Rome et touz autres Lieux en la plus fort maniere que faire ie pourra et seront empitrees dispensations et absolutions et Lettres de la ditte Cour de Rome touchant la perfection et accomplissement de ce present Traictie et seront bailles aus parties au plus tard dedans les trois Sepmaines apres ce que le Roy fera arrivez a Calais.

35. Item que touz les Subgiez des diz Royaumes qui voudront estudier es estudes & Universites des Royaumes de France & d'Angleterre joyront des Privileges & Libertes des dites estudes & Universites tout aussi comme il pouvoient faire avant des presentes guerres & comme il font a present.

36. Item a fin que les choses dessus dites Traicties & Parlees soient plus fermes, estables & valables seront faictes & donnees les sermenges qui sensuivent.

C'est asavoir Lettres Scellees de Seauls des diz Roy & des Ainsiez Filz diceulx les meilleurs qu'il pourront faire & ordener par les Conseils des diz Roys, & jureront les diz Roys & leurs Enfans Ainsiez & aussi les autres des Linages des dis Seigneurs & autres Grans des diz Royaumes jusques au nombre de vingt de chascune partie qu'il tendront & aideront a tenir pour tant comme a chascun deulx touche les dites choses traicties & accordees & accompliront sanz jamais venir au contraire sanz fraude et sanz mal Engin, et sanz faire nul empeschement, et se il y avoit aucun du dit Royaume de France ou du Royaume d'Angleterre qui fussent rebelles, ou ne vouussent accorder les choses dessus dites, les deux Roys feront tout leur pouvoir de corps de biens et damis de mettre les diz Rebelles a vraye obeissance selon la fourme et teneur du dit Traictie et avec ce se soubzmettront les diz Roys et leurs Hoirs et Royaumes a la cohercion de nostre saint Pere le Pape a fin puisse contraindre par Sentences, censures d'Eglise et autres voyes deuez celui qui sera Rebelles selon ce qu'il sera de Raison. Et parmi les Seurtres et Fermetes dessus dites renunceront les diz Roys et leurs Hoirs par foy et par serement a toutes guerres et a touz proces de fait se par desobeissance, rebellion ou puissance d'aucun Subgiez du Royaume de France ou autre juste cause le Roy de France ou ses Hoirs ne pouvoient accomplir toutes les choses dessus dites le Roy d'Angleterre, ses Hoirs ou aucun pour eulx ne feront ou deuront faire guerre contre le dit Roy de France ses Hoirs ne son Royaume, mais tous ensamble s'efforceront de mettre les diz Rebelles en vraye obeissance & d'accomplir les choses devant dites. Et aussi si aucuns du Royaume & obeissance du Roy d'Angleterre ne vouloient rendre les Chasteaux, Villes, ou Forteresces qu'il tiennent au Royaume de France & obeir au Traictie dessus ditte, ou, par juste cause ne pouvoient accomplir ce qu'ils doivent faire par ce present Traictie, le Roi de France ne ses Hoirs ou aucun par eulx ne feront point de Guerre au Roy d'Angleterre ne a son Royaume

aume, mais touz deux ensamble feront leur pouvoir de recourir les Chasteaux, Villes & Forteresces dessus dites, & que toute obeissance & accomplissement soient fais es Traicties dessus dites & seront aussi faictes & donnees d'une Partie & d'autre selon la nature du fait toutes manieres de fermetes & seurtres que l'on pourra & scaura ou pourra diviser tant par le Pape le College de la Court de Rome, comme autrement pour tenir & garder perpetuellement la Paix & toutes les choses par dessus accordees.

37. Item est accorde que par ce present Traictie et Accord, tous autres accors, Traicties, ou Prolocutions se aucun en y a faiz ou pour parlez au temps passe, sont nulz et de nulle valeur, et du tout mis au neant et ne senpourront jamais aidier les parties ne faire aucun reproche l'un contre l'autre pour cause diceulx traicties ou Accors, se aucun en y avoit comme dit est.

38. Item que ce present Traictie sera approuve, jure, & confirme par les deux Roys a Calais quant il y seront en leurs personnes, et depuis que le Roy de France sera partiz de Calais et sera en son pouvoir, dedans un mois prochain ensuivant le dit departement le dit Roy de France en fera Lettres confirmatoires et autres necessaires ouvertes, et les envoyra et delivra a Calais au dit Roy d'Angleterre ou a ses Deputez au dit Lieu, & aussi le dit Roy d'Angleterre en prenant les dites Lettres confirmatoires en baillera Lettres confirmatoires pareilles a celles du dit Roy de France.

39. Item est accorde que nul des Roys avant ditz ne procurera ne fera procurer par lui ne par autre que aucunes noveletes ou greffs se facent par l'Eglise de Rome ou par autre de Sainte Eglise quelconques qu'il soient contre ce present Traictie sur aucun des diz Roys, leurs coadjuteurs, adherens, ou alliez quelconques qu'il soient, ne sur leur terres, ne de leurs Subgiez pour a choison de la guerre, ou pour autre chose, ne pour services que les diz coadjuteurs ou alliez aient fait au diz Roys ou a aucune diceulx. Et se nostre dit saint Pere ou autre, le vouloient fair les deux Roys le desforberont selon ce qu'il pourront bonnement sanz mal engin.

40. Item des Otages qui seront bailliez au Roy d'Angleterre a Calais de la maniere & du temps de leur departement les deux Roys en ordeneront a Calais. Et nous Roy de France dessus dit veu & considere le dit Traictie pour bien de Paix fait en nostre nom & pour nous entant comme a nous touche a notre partie aians ferme & agreable ycelui & toutes les choses dessus escriptes, volons loons, ratiffions & approvons & de nostre auctorite Royal par deliberation conseil & consentement de plusieurs Prelas & Gens de Sainte Eglise Dux & Contes tant de nostre Linage que autres, & de plusieurs tant Pers de France que autres Grans, Barons, Nobles, Bourgois et autres Sages de nostre Royaume consentons, et confermons le dit Traictie et toutes les choses dessus dites contenues en ycelui, et jurons sur le corps Jehu Christ et en parole de Roy pour nous et pour noz Hoirs iceli tenir garder

der et accomplir sanz jamais venir en contre par nous ou par autre, et pour les choses dessus dites et chascun dicelles tenir fermement a perpetuee, obligons nous noz biens presens et avenir, noz Hoirs et Successeurs et leurs biens, et louzmettons quant a toutes ces choses nous et noz Hoirs et Successeurs a la Jurisdiction et Cohertion d'Eglise de Rome, et volons et consentons que nostre Saint Pere le Pape confirme toutes ces choses en donnant monitions, mandemens generaux, sur l'accomplissement dicelles contre nous noz Hoirs et Successeurs, et contre touz noz Subgiez, soient Communes, Colleges, Universites, ou Persons seculiers quelconques et en donnant Sentences generaux decommunement, de suspension, et de entredit, pour estre encoruz pour nous et par eulx par celi fait, si tost que nous en eulx ferons ou attempterons en occupant Forteresce, Ville, ou Chastel ou autre quelconque chose, faisant, ratifiant, ou agreant ou donnant Conseil, confort, faveur ou aide secretment ou en appert contre la ditte Pais, des quelles Sentences il ne puissent estre absoubz jusques a ce qu'ils aient fait pleniere satisfaction a tous ceulx qui par celui fait auroient soustenu ou soustendroient damages. Et avec ce voulons et consentons que nostre Saint Pere le Pape pour ce que plus fermement soit tenue et gardee la ditte Paix a perpetuee toutes pactions, confederations, aliances et couvenances comme que elles puissent estre nommees qui pourroient estre prejudiciables ou obvier par quelconque voye a la ditte Paix au temps present ou avenir, suppose qu'elles feussent fermes ou vallees par peines ou par seremens et confirmees de l'auctorite nostre saint Pere le Pape ou d'autre soient cassees, irritees, & mises au neant, comme contraires a bien commun & au bien de Pais commune, & profitable a tout Chrestiente & deplaisans a Dieu, e touz seremens faiz en tel cas soient relachiez & soit decerne par le dit nostre saint Pere que nul soit tenuz a tels seremens aliances ou couvenances tenir ou garder & defendre que au temps avenir ne soient faites telles ou samblables, et si de fait aucun attemptoit ou faisoit le contraire que desmaintenant les casse & irrite & rende nulz & de nulle vertu. Et neantmoins nous les punirons comme violateurs de Paix par peine de corps & de biens, si comme les cas le requerra & que raison voudra et se nous faisons procurions ou souffrions estre fait le contraire que Dieu ne vueille nous volons estre tenuz et reputé pour desloial et parjure et volons encourir tel blasme et deffame come Roy sacre doit encourir en tel cas, et les choses dessus dites ferons jurer a tenir et garder par les Prelas quant il seront les seremens de feaulte et Chiefs de Eglises de notre Royaume, par noz Enfans, par nostre Frere le Duc d'Orleans, par noz cousins et autres Prochains de nostre sangue, par les Pers de France, par les Dux, Contes, Barons et Grant Terriers, par les Maires, Jures, Eschevins et Consuls et Universites ou Communes de notre Royaume et par noz Officers en la Creation de leurs Offices, et qu'il ne seront ne moveront ou soustendront ou norront guerre, quelconque haine ou discord entre nous Roys et noz Royaumes dessus diz et les Subgiez diceulx et le dit serement ferons renover de cinq Ans en cinq Ans pour en estre plus freche memoire et jamais ne ferons Alliances en quelque Personne, Cite, Ville, ou Universite contre

contre nostre dit Frere, ne contre ses Enfans ou leurs Terres ou leurs Subgiez ne autrement qu'il n'ensoient expressement exceptes. Et nous avons fait samblement Jurer toutes les choses devant dites par noz Enfans le Duc d'Anjou et de Maine, le Duc de Berri et d'Auvergne, le Duc de Touraine, le Duc d'Orleans nostre frere, et noz Cousins le Duc de Bourbon, Jaque de Bourbon, Jehan d'Artes, Pierre d'Alencon, Jehan d'Escampes, Guy de Bloys, le Conte de saint Pol, le Conte de Harecourt, le Conte de Tancarville, le Conte de saint Cerre, le Conte de Joigny, le Conte de Sairebruche, le Conte de Briene, le Sire de Coucy, le Sire de Craon, le Sire de Frieules, le Daulphin d'Auvergne, le Sire de Montmorency, Guillaume de Craon, le Sire de saint Venant. Et facons aussi Jurer samblablement et au plus tost que faire pourrions bonnement la plus grant Partie des Prelas, Pers, Dux, Contes, Barons, et autres Nobles de nostre Royaume.

En tesmoing de la quelle chose nous avons fait mettre nostre Seel a ces Lettres. Donnees a Calais le xxiiii. Jour d'Octobre l'An de Grace, mil trois cens Soixante.

In quorum omnium Testimonium Sigillum nostrum presentibus Litteris duximus apponendum. Datum apud Calesium Morinen' Dioc. Die xxv. Mensis Octobris Anno Prædicto Millesimo ccc.

Serment que le Roy fist le xxiiii jour d'Octobre, A Calais sur les Articles ci contenus, confirmant la Traittie.

This Oath was taken again in the very same words and Articles at Bologne, 26th of October without any alteration, as they here follow. With his Son Charles his Confirmation.

Johan par le Grace de Dieu, Roy de France a tous ceulx qui ces lettres verront salut. Sçavoir faisons que par la paix fait & reformee entre nous & nostre trelchier Frere le Roy d'Angleterre la quelle nous desirons estre fermement & perpetuellement gardee, nos avons fait certains Sermens sur le corps Jesu Christ sacre touchees les saints Evangiles de Dieu, c'est assavoir, que nous confermons & approuons la paix & tout le Traictie & accord fait a Bretigny par la maniere que il est escript & depuis corrigé a Calais & ycellui en touz ses poins & Articles pour tant come il nous touche Accomplirons et enterinerons et ne vendrons encontre.

Item que nous ferons les Renunciations cessions et Transpors qui sont a faire de nostre partie, et accordees par nostre Conseil et ycelles enverrons et delivrerons au Roy d'Angleterre ou a ses Deputez au jour et lieu contenuz en les accordees des Parties.

Item

N. 94.
See the Original in the Margin at the beginning of N. 93.

Item que nous surferons de user des souverainetez et Ressors quant aus choses que tient le Roy d'Angleterre et qui li seront baillées et le quelles li doivent estre baillées par vertu du dit accord et Traite par la forme et maniere et juiques au temps exprimes et contenuz es Lettres sur ce faites par les Consaulx des Parties.

Item que nous delivrons au Roy d'Angleterre les Chasteauls, Villes & Terres qui li doivent estre baillées pour faire voider les Forteresces occupees au Royaume de France par le Roy d'Angleterre, ses alliez, aydants, & adherens, par la forme & maniere & selonc la Moderation continue es lettres sur ce faites & accordees par les Consauls des Parties.

Item que nous delivrons & ferons delivrer au Roy d'Angleterre ou a ces Deputez, toutes les Terres, Villes, & Pais que nous le devons bailler & delivrer par le dit accord, par le temps, forme, & maniere accordees, par les Consauls des Parties, & li baillerons ou ferons bailler les lettres que bailler & delivrer li devons pour la Delivrance des dictes Terres, & que nous paierons toutes les sommes d'or que nous sommes tenuz de paier au Roy d'Angleterre per le temps & maniere accordez per les Consauls des Parties.

Item que nous Renoncons a toute Guerre & proces de fait contre le Roy d'Angleterre & ses hoirs selonc la forme des lettres sur ce accordees.

Item avons Jure comme dit est les Alliances faites au Roy d'Angleterre per la maniere que accordees sont avec le Modification que est faite des Elcoz et de Bretagne.

Item que nous ferons et accomplirons par la maniere accordee tout ce que nous devons et sommes tenuz de faire, des Oistiges qui bailler devons au Roy d'Angleterre.

Item que nous lairons et delivrons aus Eglises tout ce qui a este occupe du leur, pour occasion de la Guerre, et a touz autres Allies ou adherens au dit Roy d'Angleterre, et leur pardonnerons toutes offenses par la maniere que accordee est.

Item que les Seremens qui sont a faire par noz Enfans ou autres de nostre partie par la dit accord, nous les ferons faire au plus tost que nous pourrons bonnement et devons par le dit Record.

Item que toutes les lettres que nous devons envoyer ou bailler au Roy d'Angleterre avant ou apres la Delivrance de nostre Personne, nous baillerons et enverrons par la forme, temps, et maniere accordee, entre les Parties: et ferons et accomplirons tout ce que faire devons par le dit accord et par le maniere contenue en ycelui, et es lettres accordees par les Consauls des Parties. En Testmoin de la quele chose nous avons fait mettre nostre

nostre seal a ses presentes lettres donne a Bouloigne le xxvi. Jour d'Octobre l'an de Grace Mil C. C. C. Soixante.

Par le Roy

J. Math.

Under the great Seal hanging as it with silk twisted strings.

There is also the Confirmation of this Oath verbatim (it being recited in it) by Charles his eldest Son, this being the last clause.

ET nous volons de tout nostre pouvoir entermer tout ce que nostre dit Seigneur et Pere a promis et covenancie promettons loiaument et en bonne foy et avons jure, et jurons sur le Corps Jesu Christ sacre tenir, garder, et accomplir pourtant come il nous touche et pourra touchir tout et chascun les choses contenues es Lettres a dessus Transcripts et par le forme et manere que compris y est, senz venir ne faire venir pour le temps avenir en aucune manere a l'encontre. En testmoin de ce nous avons fait mettre nostre seal a ces presentes lettres. Donne a Bouloigne le xxvi. Jour d'Octobre l'an de Grace Mil C. C. C. Soixante.

Par Monsieur le Duc
Noerwes

with his Seal hanging to it with yellow and green silk strings twisted.

Androginus the Pope's Nuntio's Certificate Dated at St. Omers 8th of November 1360. That in his presence John King of France on the 24th of October 1360. at Calais granted and delivered these very Letters or Articles of his Oath recited in his Certificat or Testification to Edward King of England.

La Grant Lettre de toutes les Terres.

The great Letter of Renunciation of John King of France &c. at Bologn 26 October 1360. the 7th. 11th. and 8th Articles included, the 12th omitted.

Jehan par la Grace de Dieu Roy de France, a touz ceuls qui ces Lettres verront, Salut. Scavoir faisons que nous avons promis & promettons bailler ou faire bailler & delivrer realment & desait au Roy d'Angleterre nostre Frere ou a ses Deputez en celle Partie aus Freres Augustins dedenz la Ville de Bruges au jour de la Feste de saint Andrieu prochain venont en un An Lettres Seeles de nostre grant seal en l'az de Soye & en cire vert en cas que nostre dit Frere aura faites les Renunciations que il doit faire de sa Partie & nostre trefchier Neveu son Filz ainse & ycelles baillées a noz Genz ou Deputez au dit lieu & Terme par la maniere que obligiez y sont des quelles Lettres la Teneur de mot a mot sensuit.

Jehan

N. 95
See for the Original in the Margin at the beginning of Number 95.

Jehan par la Grace de Dieu Roy de France a noz bien Amez les Arcevesques, Evêques, Abbez. & autres Prelas, les Docteurs, Prevois, Chapitres, & Convenz & autres Personnes d'Eglises, tant Cathedraux & Collégiaux que Conventuels, & autres Reguliers & Seculiers: Et a noz Amez & Feauls les Dux, Contes, Vicontes, Barons, Chivalers & autres Nobles, les Maïres, Eschivins, Jurcz, Consuls, Universités & Communautés & autres Personnes tant Nobles que non Nobles noz Subgiez en temporalite & Tenans de nous ou souz nous temporalite de la Cite, Chastel & Conte de Poitiers, & de toute la Terre & Pais de Poitou des Fiez de Thovarz & de la Terre de Billeville de la Cite & Chastel de Xaincts, & de toute la Terre & Pais de Xainctonge par de ca et par de la la Charente, de la Cite et Chastel d'Agen et de la Terre et Pais d'Agenois, de la Cite Chastel et de toute la Conte de Pierregort, et de la Terre et Pais de Pierreguis, de la Cite et Chastel de Limoges, et de la Terre et Pais de Limosin, et de la Cite et Chastel de Caours et de la Terre et Pais de Caourcin, de la Cite, Chastel et Pais de Tarbe, de la Terre Pais et Conte de Bigorre, de la Conte, Terre et Pais de Gaure, de la Cite et Chastel d'Engouleime, et de la Conte Terre, et Pais d'Engolemois, de la Cite et Chastel de Rodeis, et de la Terre et Pais de Rovergne, Salut et Dilection.

LES Guerres qui ont longuement dure entre notre treschier Seigneur et Pere jadis Roy de France lui vivant et apres son Deces entre nous de une Part et le Roy d'Angleterre notre Frere, le quel reclamoit soy avoir droit au dit Royaulme d'autre part, ont porte mult grans damages non pas seulement a nous & a vous, mais a tout le Peuple de notre Royaume & des Royaulmes voisins et a toute Christiantie si comme vous meismes le savez bien, car par les dittes Guerres non maintesfoiz avenues Batailles mortelles, occisions de Gens, Pillemens d'Eglises, destructions de corps & peril de ammes, desfloracions de pucelles & de virges, dehonestation de Femmes mariees & autres, Arsure de Villes de Manoirs & Ediffices, Roberies & oppressions, Guietennis de voies et de chemins; Justice en est faillie et la foy Christienne Refroidie, et Marchandise perie, et tant d'autres malx et horribles faiz senfont ensuiz qu'il ne pourroient estre dis, nombrez ne escripts; Par les quels non pas seulement les deux Royaulmes mais les autres Royaulmes par Christiantie ont souffert mult d'afflictions et dommages irreparable. Pour quoy nous consideranz et pensanz les mauls dessus diz, et que vraisemblable chose estoit que plus grans senpocioient ensuivre en temps avenir, et que le monde souffroit tant d'engoiffes et de douleurs par les dittes Guerres; Et aians pitie et compassion de nostre bon et loial Peuple qui si fermement et si loyaument s'est tenu si longuement en vraie confiance et obeissance envers nous en exposant leurs corps et leurs biens a tous perils et sanz eschivir despens et mises dont nous devons bien avoir parperpetuel memoire a nous pour ce pieca soustenu parlores et traictie de Paix.

Premierement par le moien de honorables Peres en Dieu plusieurs Cardinaux et Messagers de par nostre Saint Pere le Pape

Pape qui a grant diligence et instance y travaillerent pour lors, Et depuis ce y ait en plusieurs traictiez parlez, et plusieurs voies touchees entre nous et le dit Roy d'Angleterre nostre Frere.

Finalement en mois de May darrein passe vindrent en France messages de par nostre Saint Pere le Pape noz chiers et feauls amis L'abbe de Clugny, Frere Simon de Lengres, Maistre en Durante, Maistre de Lorder des Freres prescheurs, & Hugue de Geneve, Seigneur d'Auton Chivaler, ou estoit lors le dit Roy d'Angleterre et son ost, Et tant alerent et vindrent les diz Messages devers Charles nostre treschier ainse Filz et devers le dit Roy d'Angleterre nostre Frere que en plusieurs Lieux s'assemblerent traicteurs d'une part & d'autre pour parler & traictier de Paix entre nous qui lors estions en Angleterre, & le dit Roy d'Angleterre et les Royaulmes de l'une & de l'autre, Et au darrein s'assemblerent les Traicteurs & Procureurs de nous & de par nostre dit Filz aians pouvoir & auctorite souffler de nous et de nostre dit Filz. Et les Procureurs et Traicteurs de nostre Neveu le Prince de Gales Filz ainse du dit Roy d'Angleterre nostre Frere aiant pouvoir et auctorite de son dit pere en ceste partie a Bretigny pres Chartres ou quel Lieu fu parlez, traictie et accorde final Paix et concorde des Traicteurs et Procureurs de l'une et de l'autre Partie tous les deicors, dissensions et guerres que nous et le dit Roy d'Angleterre nostre Frere avions l'une contre l'autre, le quel traictie et paix les procureurs de nous et de nostre dit Filz pour nous et pour lui par souffler pouvoir donne a euls sur ce et les procureurs du dit nostre Neveu le Prince de Gales pour le dit Roy d'Angleterre nostre Frere et pour lui, jurerent aus sains Euvangiles tenir et garder et apres ce le jurerent solennement nostre dit Filz pour nous et pour lui et le dit nostre Neveu le Prince de Gales, aiant a ce pouvoir pour son dit Pere nostre Frere et pour lui et nous apres ces choses ainsi faites et a nous rapportees et exposees considere que le dit Roy d'Angleterre s'accordoit et consentoit au dit Traictie et vouloit ycelui et la paix tenir et accomplir de sa partie yceuls traictie et paix du Conseil et consentement de de plusieurs de nostre Sanc et linage et Prelaz et sainte Eglise, Dux et Contes tant Pers de France que autres de et Gens d'Eglise de Barons, Chivalers et autres Nobles, Bourgois et autres Sages de nostre Royaume pour apaiser les Guerres et les mauls et douleurs dessus diz dont le peuple estoit si malmenie comme dessus est dit, plus que pour la delivrance de nostre Personne a l'honneur et a la gloire du Roy des Rois et de la virge Marie, et pour reverence de Sainte Eglise de nostre saint Pere le Pape et de ses Messages a nous consenti, & consentons, ratiffions, greons & approvons. Et comme par le dit Traictie & Paix le dit Roy d'Angleterre nostre Frere pour lui, pour ses Hoirs et Successeurs ait Renuncie expressement a la Succession & eschoite de nostre dit Royaume qu'il demandoit au nom & a la Couronne dicelui & a tout le droit qu'il reclamoit & pouvoir reclamer & demander en quelque maniere a tous jours & a toutes les choses qui par le dit traictie ne li doivent estre baillies & a toutes autres demandes & actions qu'il nous pouvoit faire & en celle meismes maniere y ait Renuncie le dit Prince de Gales son Filz ainse nostre Neveu & expressement

ment en Renoncie a plusieurs Terres, Duches, Contes, Hommages, et Souverainetez de notre dit Royaume que le dit Roy de Angleterre notre Frere demandoit a avoir et es quelles il se disoit avoir droit. Et parmi ce nous li aions octroie et promis a baillier, delivrer, et delaisser pour lui et pour ses Hoirs et Successeurs a tous jours certaines Terres, Cites, Chasteauls, Villes, Contes, & Seigneuries en nostre dit Royaume si comme plus a plain est contenu en dit Traicte & Accord entre les quelles Terres, Cites, Contes & Seigneuries sont celle qui le apres sont Escripts.

1. **P**remierement que le Roy d'Angleterre avec ce qu'il tient en Guienne & en Gaçoigne aura pour lui & pour les Hoirs parperpetuelment a tous jours toutes les choses qui s'ensuivent a tenir par la maniere que le Roy de France et son filz ou aucun de ses Aneftres Roys de France les tindrent, C'est a sçavoir ce que en Souverainete en Souverainete ce que en demaine en demaine & par le temps & manieres au deslous de claires, la Cite & le Chastel & la Conte de Poitiers & tout la Terre & le Pais de Poitou, ensemble les fiefs de Thovars & la Terre de Belleville, la Cite & le Chastel de Xaintes & toute la Terre et le Pais de Xainctonge par de ca & par de la Charente, la Cite & le Chastel d'Agens, & la Terre et le Pais d'Agenois, la Cite et le Chastel & toute la Conte de Pierregort, & la Terre & le Pais de Pierreguis, la Cite & le Chastel de Limoges & la Terre & le Pais de Limosin, la Cite & le Chastel de Caours et la Terre et le Pais de Caourcin; la Cite et le Chastel et le Pais de Tarbe, et la Terre, Pais, et Conte de Bigorre, la Conte, la Terre et le Pais de Gaure, la Cite et le Chastel d'Engoulême, la Conte la Terre et le Pais d'Engoulême, la Cite et le Chastel de Rodeis, et la Terre et le Pais de Rovergue. Et se il y a aucuns Seigneurs comme le Conte de Foix, le Conte d'Armignac, le Conte de Lylle, et le Conte de Pierregort, le Viconde de Limoge ou autres qui tiennent aucun Terres ou Lieux dedens les metes des diz Lieux, il feront Hommage au Roy d'Angleterre et touz autres services et Devoirs deuz a cause de leurs Terres ou Lieux en la maniere qu'il ont fait ou temps passe.

2. **I**tem aura le Roy d'Angleterre tout ce que le Roy de Angleterre ou aucuns des Rois d'Angleterre anciennement tindrent en la Ville de Montereul sur la mer et es appartenances.

7. **I**tem il est accorde que le Roy de France et son ainse Filz le Regent par euls et pour tous leurs Hoires et Successeurs au plus tost que l'en pourra senz fraude et senz mal engin et au plus tart dedenz la feste de Saint Michael prochain venir en un an, rendront, bailleront et delivreront au dit Roy d'Angleterre & touz ses Hoirs & Successeurs & transporteront en euls toutes les honneurs, obediences, hommages, leageances, Vassauls, fiefs, Services, Reconnoissances, droitures, mere & mixte Impere, et toutes manieres de Jurisdicions hautes et basses, Reforts et Sauves-gardes, advoisons et patronages d'Eglises et toutes manieres de Seigneuries et souverainetez et tout le droit qu'il avoient & pvoient avoir, appertainoient & peuvent appartenir pour

pour quelque cause, tiltre ou couleur de droit a eux aus Rois ne a la Couronne de France, pour cause des Cites, Contes, Chasteauls, Villes, Terres, Pais, Ylles et Lieux avant nommez et de toutes leurs appartenances et appendences quelque part qu'il soient et chacun dicelles sanz y riens retenir a eulx a leurs Hoirs ne Successeurs aus Rois ne a la Couronne de France, & aussi manderont les diz Roy & son ainse Filz par leurs Lettres patentes a touz Archevesques, Eveques, & autres Prelaz de Saint Eglise & aussi aus Contes, Vicones, Barons, Nobles, Citoiens & autres quelconques des Citez, Contes, Terres, Pais, Ylles, & Lieux avant nommez qu'il obeissent au Roy d'Angleterre & a ses Hoirs, & a leur certain commandement en la maniere qu'il ont obei aus Rois & a la Couronne de France, & par meismes les Lettres leur quitteront & absoldront aus mieulx qu'il se pourra faire, de touz hommages, foiz, seremens, obligations, subjections, & promesses fais par aucun deulx au Roy et a la Couronne de France par quelconque maniere.

8. **I**tem accorde est que le Roy d'Angleterre aura les Cites, Contes, Chasteauls, Terres, Pais, Ylles, et Lieux avant nommez avec toutes les Appartenances et Appendences quelque part qu'il soient a tenir a lui et a touz ses Hoirs et Successeurs heritablement et parperpetuelment en demaine ce que le Roy de France y avoit en demaine et aussi en fief, service, souverainete ou Refort ce que les Rois de France y avoient par tel maniere, sauf tant comme dit est par dessus en l'Article de Calais et de Merik, Et de des Cites, Contes, Chasteauls, Terres, Pais, Ylles et Lieux avant nommez, souverainetez, drois, mere et mixte Impere, Jurisdicions et proffis quelconques que tenoit aucuns Rois d'Angleterre ylleques et en leurs appartenances et appendences quelconques aucuns alieacions, donations, Obligations ou charges ont este faies par aucuns des Rois de France qui ont este pour le temps puis Soixante dix Ans en ca par quelque fourme que ce soit, toutes telles donations, alienations, obligations, & charges sont dehors et seront du tout rapellees, castees & annulees & toutes choses ainsi donnees, alienees ou chargees seront realment & de fait rendues & baillees au dit Roy d'Angleterre ou a ses Deputez especiaulz a meisme l'entierete comme il furent aus Rois d'Angleterre depuis sexante dix Ans en ca au plus tost que l'en pourra senz mal engin, & au plus tart dedens la Saint Michiel prochain venant en un An, a tenir au dit Roy d'Angleterre & a touz ses Hoirs et Successeurs parperpetuelment & heritablement par maniere que dessus est dit, Excepte ce qui est dit par dessus en l'Article de Pontieu qui demourra en sa force: Et sauf & excepte toutes les choses donnees et alienees aus Eglises qui leur demourront paisiblement en touz les Pais & Lieux ci dessus & deslous nommez si que les personnes des dites Eglises prient diligemment pour les diz Rois comme pour leurs fondeurs sur quoy leur Consciences en seront chargees.

9. **I**tem est accorde que le Roy d'Angleterre toutes les Cites, Villes, Chasteauls & Pais dessus nommez qui anciennement n'ont este des Rois d'Angleterre aura et tendra en l'estat & aussi comme le Roy de France ou ses Filz tiennent a present.

10. **I**tem est. accorde que se dedans les metes des diz Pais qui furent anciennement des Rois d'Engleterre avoit aucuns choses qui autrefois n'eussent este des Rois de Engleterre dont le Roy de France estoit en possession le Jour de la bataille de Poitiers qui fu le xix. jour de Septembre l'An Mil C. C. C. cinquante six, Elles seront et demourront au Roy d'Engleterre & a ses Hoirs en la maniere que dessus est dit.

11. **I**tem accorde est que le Roy de France et son ainse Filz le Regent pour euls & pour leurs Hoirs et pour touz les Rois de France & pour leurs Successeurs a touz Jours au plus tost que se pourra faire senz mal engin et au plus tart dedenz la Saint Michiel prochain venant en un an, rendront et bailleront au dit Roy d'Engleterre et a touz ses Hoirs et Successeurs et transporteront en euls toutes les honneurs, legalitez, obediences, hommages, ligeances, vassauls, fiez, Services, Reconnoissances, seremens, droitures, mere et mixte Impere, toutes manieres de Jurisdicions hautes et basses, Ressors, Sauvegardes, Seigneuries, et Souverainetez, qui appartennoient ou pourroient en aucune maniere appartenir au Rois et a la Couronne de France ou a aucune personne a cause du Roy et de la Couronne de France en quelque temps, es Citez, Contez, Chasteauls, Terres, Pais, Ylles, et Lieux avant nommez ou en aucuns deuls et a leurs appartenances et appendances quelconques, ou es Personnes, Vassauls, ou Subgiez quelconques diceulx soient Princes, Dux, Contes, Vicontes, Archevesques, Eveques et autres Prelaz d'Eglises, Barons, Nobles et autres quelconques senz riens a euls leur Hoirs et Successeurs la Couronne de France ou autre que ce soit retenir ne reserver en yceuls. Pourquoi il, ne leurs Hoirs et Successeurs ou autres Rois de France ou autre que ce soit a cause du Roy ou de la Couronne de France aucune chose ne pourront chalengier ou demander au temps avenir sur le Roy d'Engleterre ses Hoirs et Successeurs ou sur aucuns des Vassauls et Subgiez avant diz pour cause des Pais et Lieux avant nommez aussi que tous les avant nommes personnes et leurs Hoirs et Successeurs parperpetuellement seront hommes liges, & Subgiez du Roy d'Engleterre et a touz ses Hoirs et Successeurs et que le dit Roy d'Engleterre, ses Hoirs et Successeurs toutes les Personnes, Cites, Contes, Terres, Pais, Ylles, Chasteauls et Lieux avant nommez et toutes les Appartenances et Appendances tendront et auront et a euls demourront plainement, parperpetuellement, et franchement en leurs Seigneurie, Souverainete, et obeissance, ligeance et subjection comme les Rois de France les avoient et tenoient en aucun temps passe. Et que le dit Roy d'Engleterre ses Hoirs et Successeurs auront et tendront parperpetuellement touz les pais avant nommez avecques leurs Appartenances et Appendances et les autres choses avant nommees en toute franchise et liberte parperpetuelle comme Seigneur, Souverain et lige, et comme voisins au Roy et au Royaume de France sanz y recognoistre Souverainete ou faire aucune obedience, hommage, Ressort, subjection, et senz faire en aucun temps avenir aucun service ou Reconnoissance aus Rois ne a la Couronne de France, des Cites, Contes, Chasteauls, Terres, Pais, Ylles, Lieux et Personnes avant nommees ou par aucun dicelles.

Nous

Nous voulans le Traictie accord et Paix dessus diz tenir, garder et accomplir sur tous les Articles ci dessus escripts et chascun diceulx touz les Pais, Cites, Terres, Contes et choses dessus nommees es diz Articles et toutes les Appartenances et Appendances quelque part que il soient baillons, rendons, delivrons et delaissons pour nous noz Hoirs et Successeurs Rois de France au dit Roy d'Engleterre par ces presentes Lettres pour lui et pour ses Hoirs et Successeurs et les transportons en lui avecques toutes les honneurs, Regalitez, obediences, hommages, ligeances, Vassauls, fiez, Services, Reconnoissances, seremens, droitures, mere et mixte Impere, & toutes manieres de Jurisdicions, hautes, moyennes et basses, Ressors, Sauvegardes, Seigneuries & Souverainetez qui appartennoient, appartenient, ou pourroient en aucune maniere appartenir aus Rois et a la Couronne de France, ou a aucune autre personne a cause de nous & de la Couronne de France en quelque temps es Cites, Contez, Chasteauls, Terres, Pais, Ylles, et Lieux avant nommez, ou en aucun deuls & a leurs Appartenances & Appendances quelconques, ou es Personnes, Vassauls, ou Subgiez quelconque diceulx soient Princes, Dux, Contes, Archevesques, Eveques, & autres Prelaz d'Eglises, Barons, Nobles, et autres quelconques senz riens a Nous ne z Hoirs & Successeurs la Couronne de France ou autre que ce soit Retenir ne Resever en yceuls.

Pourquoy nous, ne noz Hoirs et Successeurs ou autres Rois de France ou autre que ce soit a cause de nous ou de la Couronne de France aucune chose ne pourrons chalengier ou demander au temps avenir sur le dit Roy d'Engleterre ses Hoirs et Successeurs ou sur aucun des Vassauls et Subgiez avant diz pour comme des Pais & Lieux avant nommez, ainsi que tous les avant nommees Personnes et leurs Hoirs et Successeurs parperpetuellement seront Hommes Liges et Soubgiez du Roy d'Engleterre & a tous ses Hoirs & Successeurs: Et que le dit Roy d'Engleterre, ses Hoirs & Successeurs toutes les Personnes, Cites, Terres, Contes, Pais, Ylles, Chasteauls & Lieux avant nommez & toutes les Appartenances et Appendances auront et tendront a euls demourront plainement, parperpetuellement & franchement en leurs Seigneuries Souverainete, et obeissance, ligeance, et subjection comme les Roys de France les avoient et tenoient en aucun temps passe: Et que le dit Roy d'Engleterre ses Hoirs et Successeurs auront et tendront parperpetuellement touz les Pais avant nommez avec leurs Appartenances et Appendances & les autres choses avant nommees, en toute franchise & liberte parperpetuelle comme Seigneur, Souverain, & Lige & comme voisins au Roy et au Royaume de France, senz y recognoistre Souverainete ou faire aucun obeissance, hommage, Ressort, Subjection, et senz faire en aucun temps avenir aucune service ou Reconnoissance aus Roys ne a la Couronne de France des Cites, Contes, Chasteauls, Terres, Pais, Ylles, & Lieux et Personnes avant nommees ou pour aucun dicelles. Et se des Cites, Contes, Chasteaux, Terres, Pais, Ylles, & Lieux avant nommez, Souverainetez, drois, mere et mixte Impere, Jurisdicions et prouffis quelconques que tenoit aucuns Rois d'Engleterre illeques et en leurs appartenances et appendances quelconque aucuns alienations, donations, obligations,

tions, ou charges ont este faites par aucun des Roys de France qui ont este pour le temps puis Sexante dix Ans en ca par quelconque fourme ou cause que ce soit.

Toutes telles donations, alienations, obligations, et charges Nous des ores rappelons, cassons & anullons du tout et toutes choses ainsi donnees, alienees, ou chargees, rendrons et baillerons realment et de fait au dit Roy d'Engleterre ou a ses Deputez especiaulx a mesme l'entierete qu'il furent es Roys d'Engleterre depuis Sexante dix Ans en ca au plus tost que l'en pourra senz mal engin et au plus tart dedens la Feste de Toussains prochain venir en un an, a tenir au dit Roy d'Engleterre et a touz ses Hoirs et Successeurs perpetuellement et heritablement, par maniere que dessus est dit. Et toutes les Cites, Coates, Chasteauls et Pais dessus nommees qui anciennement n'ont este des Roys d'Engleterre aura et tendra en l'estat et aussi comme nous ou noz Filz les tiennent a present. Et se dedens les metes des diz Pais qui furent anciennement des Roys d'Engleterre avoit aucunes choses qui autres foiz n'eussent este des Roys d'Engleterre dont nos fussiens en possession le Jour de la bataille de Poitiers qui fu le xix Jour de Septembre l'An Mil C. C. C. cinquante six, Nous les baillons, delivrons et delaissons a tous Jours au dit Roy d'Engleterre pour lui et pour les Hoirs en la maniere que dessus est dit, Exceptees toutes les choses donnees & alienees es Eglises qui leur demourront paisiblement en tous le Pais & Lieux dessus nommez. Si que Personnes des dictes Eglises prient diligemment pour nous & nostre dit Frere comme pour leurs fondeurs, Et seront Subgiez les Archevesques, Evesques & autres Prelaz de sainte Eglise a celui des deux Roys souz qu'il tendront leur temporalite. Et se il ont temporalite souz touz les deux Roys, il seront subgiez de chascun des deux Roys pour leur temporalite qu'il tient souz chascun des deux Roys. Et toutes les Cites, Villes, Chasteaux, Lieux, & Pais dessus diz, & les Eglises, Prelaz, Chapitres, & toutes les Communes & Universites et singulieres personnes dicelles auront toutes leurs libertes, franchises et privileges qu'il avoient au temps du dit Traicte et Paix et enjoiront paisiblement et leur seront confirmees par le dit Roy d'Engleterre se il en est requis se contraires ne sont aus choses dessus dites. Et mandons et estroitement commandons et avec ce se mestier est commettons par ces presentes Lettres a touz noz Seneschaulx et Juges, Baillis, et Prevos, Capitaines, Castellains, gardes des Pais, Villes, et Lieux dessus diz & a chascun d'eulx ou a leurs Lieutenants que chascun en la Seigneurie ou Juerie, Capitaine, Chastellerie et Garde ou il sont establis et es Ressors sur la foy et obeissance qu'il nous doivent, et sur paine d'encourir nostre indignation et d'estre privez de noz Offices contraignent reidement touz les contredisanz, desobeissans, et Rebelles par toutes les voies que en estre sera et que a faire sera a obeir paisiblement, fermement et entierement aus choses dessus escripts et a chascun dicelles selon la Teneur de ces presentes et contraignent les desobeissanz et Rebelles en telle maniere qu'il ny conveigne autrement pourtoir sur toutes les quelles choses et chascun dicelles et es dependences et appendences. Nous voulons et commandons que touz nos feaulx et Subgiez, Capitaines, Chastellaines, et Gardes obeissent et entendent a noz

diz

diz Seneschaulx, Baillis, Juges & Prevos & a leur Deputez & a chascun deulx & Jurons que jamais ne serons ne souffrons estre fait par nous ne par autre en prive ne en appert aucune chose contraire es choses devant dites & aucunes dicelles.

En Tesmoing de la quelle chose nous avons fait mettre nostre Seel a ces presentes Lettres. Donn a Bouloigne le xxvi Jour d'Octobre l'An de Grace Mil. CCC. Sexante.

Et pour ce que les dites choses & chascun dicelles soient de point en point & par la maniere & fourme dessus dites tenues & accomplies nous obligeons nous & noz Hoirs & touz les biens de nous & de noz Hoirs de nostre dit Frere le Roy d'Engleterre & a ses Hoirs, & Jurons aus sainz Euvangiles de par nous corporelement touchees que nous par serons attendrons & accomplirons en cas dessus dit toutes les devant dites choses par nous promises & accordees comme devant est dit, et voulons ou cas que nostre dit Frere et nostre dit Neveu auroient faites les dites Renunciations & envoies & baillees, comme dit est, & les dites Lettres ne fussent baillies a nostre dit Frere, au lieu & terme & par la fourme et maniere que dessus est dit, delors au cas dessus est dit nos presentes Lettres et quanque est compris dedenz aient tant de vigueur, effect et fermete comme auroient nos autres Lettres par nous promises a baillier, comme dessus est dit. Sauf toutevoies et Reserve pour nous noz Hoirs et Successeurs que les dites Lettres dessus incorporees n'aient aucun effect et ne nous puissent porter aucune prejudice ou dommage jusques a ce que nostre dit Frere et nostre dit Neveu auront faites envoies et baillies les dites Renunciations par la maniere dessus dite et qu'il ne sen puissent aidier contre nous noz Hoirs et Successeurs en aucune maniere se non en cas dessus dit.

En Tesmoign de la quele chose nous avons fait mettre nostre Seel a ces presentes Lettres. Donne a Bouloigne le xxvi. Jour d'Octobre l'An de Grace Mil. CCC. Soixante.

Par le Roy.

J. Math.

Les Amistees & Alliances d'entre les Roys d'Angleterre & de France.

Charles Ainsne Filz du Roy de France, Duc de Normandie & Dalphin de Vienne. Sçavoir faisons a touz presens & avenir que nous avons veu & diligement avise les Lettres de nostre trechier Seigneur & Pere contenens la Fourme qui sensuit.

Jehan par le Grace de Dieu Roy de France a tous ceux qui ces presentes Lettres verront, Salut. Sçavoir faisons que Nous pensanz & consideranz que les Roys & les Princes Chrestiens qui veulent bien governer le peuple qui leur est subiet, doivent suyr & eschiver guerres, dissensions & discordes donc Dieu est offensu

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See here for the Original in the Margin at the beginning of N. 93.

& querre & avier pour eulx & pour leurs Subgez Paix, unite & concorde par la quelle l'amour du Soverain Roy des Roys doit estre acquie, les Subgez font gouvernez en tranquile & aux perilz des guerres est obvie: Et Recordans les grans maux, domages, & afflictions que nostre Royaume & noz Subgez ont sustenu par long temps pour cause & occasion des guerres & discordes qui ont dure longuement entre nous & nostre treshier Frere le Roy d'Angleterre & les Royaumes, Subgez, Amis, aydenz & alliez d'une partie & d'autre, sur les quelles entre nous & nostre dit Frere finablement est fait bon Accord & bonne Paix reformee. Et desirantz ycelle tenir & garder & perseverer en vraye amour perpetuellement par bonnes & fermes Aliances entre nous & nostre dit Frere noz Hoirs & les Royames & subgez de l'une, & de l'autre par les quelles pourroit la dite Paix accordee & bonne amour estre plus fermement & plus entierement en concorde, garde, Justice, mieux estre exercee les droiz & Seignories de l'une & de l'autre mieulx defenduz les Rebelles, Malfauteurs, & desobeissans a l'une et a l'autre estre plus aiement contrains a obeir et cesser des Rebellions et exces, toute Christiente estre maintenue en plus paisible estat et la Terre Sainte en pourroit mieux estre secourue et aidee, et toutes ces causes et autres attendans et considerans que notre Saint Pere le Pape ait dispense par grant deliberation avec nous et nostre dit Frere.

C'est ascavoir avec nous et touz noz Subgez tant Genz d'Eglise comme Seucleurs sur toutes les confederations, ahiances, conventions, obligations, Lettres et Seremenz qui estoient entre nous, nostre Royaume et nos subgiez d'une Partie, et nostre treshier Cousin le Roy d'Escoce son Royaume et ses Subgez d'autre partie comme le bien et l'esset de la dite Paiz entre nous et nostre dit Frere d'Angleterre les Royaumes et Subgez de l'une et de l'autre, peust estre empeschee par icelles. Et pour ce les ait le dit nostre saint Pere casees, ostees, anullees et irritees du tout si comme en ses Lettres & es proces sur ce faiz est plus plenelement contenu pour consideration des causes & choses dessus dites: Et aussi voulens accomplir en tant comme toucher nous peut le dit Accord fait sur les dites Aliances si comme otroie l'avons comme dit est. Eue sur ce tresgrant & meure deliberation avons fait & par ces presentes faisons pour nous, noz Enfans, noz Hoirs, & noz Successeurs, nostre Royaume & noz Terres quelconques & noz Subgiez d'une parte avec nostre dit Frere ses Enfans, ses Hoirs & Successeurs, son Royaume, ses Terres & ses Subgez d'autre partie parperueles Aliances, confederations, amitez, pactions & convenances qui apres s'enluisent.

C'est ascavoir que nous, noz Enfans, noz Hoirs & Successeurs nostre Royaume, noz Terres & noz Subgez quelconques presens & avenir nez & a naitre serons a tous jours mais a nostre dit Frere, ses Enfans, ses Hoirs & Successeurs, son Royaume, ses Terres, & Subgez quelconques bons, vrayz & loyaux Amis & alliez & leur garderons de tout nostre pouvoir leurs honours & leurs droiz ou nous les saurons leur dishonneur leur vitupere & leur dommage empescherons loyaument de tout nostre pouvoir a

aucuns

aucuns de leurs Ennemiz presens & avenir nez ou a naitre, quelque il soient, aucun Conseil, confort ou aide escontre eulx ou aucun d'eulx pour quelconques cause ou occasion que ce soit ou puist estre par nous ou en appert nous ne donnerons ne ferons, ne yceulx Ennemiz, au damage ou prejudice de nostre dit Frere, ses Hoirs ou son Royaume scieument receverons, ne receper ne recevoir serons ou souffrirons en aucune maniere en nostre Royaume ou autres noz Terres ou Seignories, ne par iceux Royaume & Terres, ou aucun d'eulx en prejudice ou damage de nostre dit Frere, ses Hoirs, Successeurs, son Royaume, les Subgez & ses Terres leurs diz Ennemiz passer ne demorer scieument souffrirons ne autrement y ceulx Ennemiz par nous ou par autres en appert ou en repost sous quelconque tiltre ou coleur que ce soit, contre nostre dit Frere, ses Hoirs & Subgez & son Royaume & autres Terres ne porterons ne soustendrons noz Amis & noz Alliez a leur amour & alliance, s'il nous en requierent de nostre pouvoir, & enduirons, et ne souffrirons aucuns de noz Subgez ne autres quelconques aler, entrer en Royaume ou autres Terres de nostre dit Frere ses Enfans, Hoirs, ou Successeurs pour y faire guerre, damage ne offense aucune a gaiges ou service d'autrui ou autrement par quelque maniere & cause que ce soit, aincois les empescherons et destourberons de tout nostre pouvoir. Et se aucuns de noz Subgez faisoient le contraire ou aucune guerre, villenie ou dommage a nostre dit Frere, a son Royaume, par terre ou par mer ne a ses Enfans, Hoirs, Successeurs ou Subgez, nous les en punirons et serons punir si grandement qu'il fera exemple a touz autres. Et de tout nostre pouvoir serons adrecier & reparer touz les damages attemptz ou empris faictes contre ces presentes Aliances se nous en sommes requis, & toutefois que nostre dit Frere, ses Hoirs ou Successeurs auront mestier de nostre ayde & il nous en requerront ou feront requerrir, nous encontre toute personne qui puisse vivre & morir leur aiderons & dourons tout le bon Conseil, conforte & ayde a leurs propres fraiz & despens que nous serions & pourrions faire pour nostre propre fait & besoigne & sanz fraude & mal engin. Non contrestant quelconques autres Aliances, Amitez, ou Confederations que nous ou noz Predecesseurs aions eues en temps passe a quelconques autres personnes aux quelles toutes & chascun dicelles nous renoncerons de tout pour nous noz Successeurs, Royaumes, Terres & Subgiez a tous jours, mais par ces presentes reserve toute fois & excepte le Pape & le saint Siege de Rome, & l'Empereur de Rome, qui ores est les quex nous ne voulons estre compris en ces presentes Aliances en aucune maniere. Et pour ce que les Aliances, Confederations, convenances, pactions & autres choses dessus dites et chascun dicelles soient plus fermement tenues, gardees, & accomplies, nous avons jure sur le Saint Corps Jezu Christ & encores jurons & promettons par la foy de nostre Corps, & en parole de Roy les choses dessus dites & chascune dicelles tenir fermement & accomplir a touz jours sanz enfreindre en tout ou en partie en aucune maniere par quelconque cause ou occasion que ce soit. Et se nous faisons, procurions, ou souffrirons scieument le contraire estre fait, ce que Dieu ne vuille, nous voulons estre tenu & reputé en touz Lieux & en toutes places & en touz Pais pour

faulx

faux, mauvais, & desloial parjur, & encourir tel blafme & dif-
fame comme Roy facre doit encourir en tel cas. Et par ces pre-
fentes Alliances nous n'entendons ne voulons que aucune preju-
dice face a nous a noz Hoirs & Subgez. Pourquoy nous et
eux pourrions et pourroit receper, porter, et tenir touz les
Banniz et Fuitifs hors du Royaume d'Angleterre prefens et ave-
nir nez et a naistre par quelconques caufe ou occafion que ce
foit, par maniere que a este fait et acoustume de faire en temps
passe. Et fous mettons quant a toutes ces choses nous et noz
Hoirs et Successeurs a la Jurisdiction et cohercion de l'Eglise de
Rome. Et volons et consentons que notre saint Pere le Pape
confirme toutes ces choses en donnant monitions et mandemens
generaux fur l'accompliffement dicelles contre nous noz Hoirs et
Successeurs et contre touz noz Subgez soient Communes, Colle-
ges, Univerfitez ou Perfonnes fingulieres quelconques. Et en
donnant Sentences generaux d'escommuniement de Suspension &
de intredit pour estre encoruz par nous et par eulx pour cellui
fait fi tost que nous ou eulx ferons ou attemperons en occu-
pant Porteresce, Ville, ou Chastel ou autre quelconque chose fai-
fant, ratifiant ou agreant ou donnant Conseil, confort, faveur, ou
aide celeement ou en appert contre la ditte Paix et ces presentes
Alliances. Et avons fait semblablement Jurer toutes les devant
dittes choses par noz Treschers Enfans le Duc de Anjou et du
Manie, le Duc de Berry et d'Auvergne, le Duc de Thouraine
le Duc d'Orliens, notre Frere et noz Cousins le Duc de Bour-
bon, Monsieur Jaque de Bourbon, Jehan d'Artois, Monsieur Pere
d'Alencon, Monsieur Jehan d'Estampes, Guy de Bloys, le Conte
de saint Pol, le Conte de Harecourt, le Conte d'Auxerre, le
Conte de Tancarville, le Conte de Sancerre, le Conte de Joigny,
le Conte de Salebruche le Conte de Brienne, le Sire de Coucy,
le Sire de Craon, le Sire de Fiennes, le Dauphin d'Auvergne, le
Sire de Montmorency, Guillaume de Craon, le Sire de saint Ven-
nant. Et ferons aussi Jurer semblablement et au plus tost que
faire pourrons bonnement la plus grant partie des Prelaz, Pers,
Dux, Contes, Barons, et autres Nobles de notre Royaume. En
Tefmoing des quelles choses nous avons fait mettre notre Seel
a ces presentes Lettres. Donne a Bouloigne le xxvi. Jour d'Oc-
tobre l'An de Grace Mil. CCC. Sexante.

Et nous Charles dessus dit voulons de tout notre pouvoir en-
teriner et accomplir Tout ce que notre dit Seigneur et Pere a
promis et convenancie, Promettons loyalemnt et en bon foy,
et avons Jure, et Jurons fur le corps Jehu Christ facre, tenir,
garder, et accomplir pour tant comme il nous touche et pourra
toucher, Toutes et chascun les choses contenues es Lettres ci
dessus transcrits et par la fourme et maniere que compris y est
sanz venir ne faire venir en aucune maniere alencontre. En Tef-
moing de ce Nous avons fait mettre notre Seel a ces presentes
Lettres. Donne a Bouloigne le xxvi Jour d'Ocobre l'An de Grace
Mil. CCC. Sexante.

Par Monsieur le Duc

N. de Venes.

Pape

Pape Rex &c. Dum in recto considerationis examine, Nos
ex debito suscepti regni nostri gubernaculi ad *defensionem*
jurium et prerogativarum regalium principum obligatos, dignum
immo verius debitum reputamus, dicta jura deprimere conan-
tibus, viis licitis obviare. Sane licet *donatio dignitatum, Preben-*
darium et aliorum beneficiorum ecclesiasticorum quorumcumque ubi-
cumque vacaverint, que sede plena ad collationem, presentatio-
nem, seu dispositionem aliam *Archiepiscoporum, Episcoporum*, et ali-
orum *Prelatorum Ecclesiarum Cathedralium et Monasteriorum* regi-
ni nostri, quorum temporalia de nobis tenentur in capite perti-
nerent ipsis Ecclesiis vel Monasteriis vacantibus et ipsarum tem-
poralibus in manu nostra existentibus, ad nos et non ad alium de
nobili prerogativa et jure Coronae nostre notorie pertineat et eti-
am pertinuit ab antiquo, fueruntque *progenitores nostri Reges Ang-*
lie a tempore cujus contrarii memoria non existit, et nos totis no-
stris temporibus in plena & pacifica possessione vel quasi juris & pre-
rogative predictorum, Scientibus & tollerantibus sanctis Patribus
summis Pontificibus qui vos in eminentia celsitudinis apostolice
precesserunt. Vacantibus tamen dudum una vice tam Ecclesia
Cathedrali Eborum per mortem bone memorie Domini J. Ro-
mayn dudum Eborum *Archiepiscopi*, quam *Thesauraria* dicte Ebo-
rum Ecclesie per privationem Domini *Johannis de Columpna* felis-
eis recordationis, Dominus *Bonifacius Papa* octavus predecessor
vester, ipsam *Thesaurariam* de facto tantum, cum de jure non po-
tuit, contulit Domino *Francisco Gaytam*, sed *Avus* noster Domi-
nus *Edwardus* tunc Anglie Rex illustris ipsam *Thesaurariam*
Clerico suo Domino *waltero* de *Bedewynd* donavit, prout ad ip-
sum *ratione vacationis Archiepiscopatus* predicti pertinuit illa vice,
pro qua donatione regia, servato processu legitimo qui requiritur
in hac parte judicium redditum & diffinitiva fuit lata sen-
tentia in Curia regia, in qua duntaxat jura & prerogative Regis
hujusmodi debent, & non alibi pertrahantur. Virtute cujus Judicii
idem *walterus* rite secundum jura regni nostri in dictam *Thesau-*
rariam inductus & prefatus *Franciscus* amotus extitit ab eadem.
Nuper vero quodam colore quesito de jure dicti *Francisci* Capel-
lani vestri in dicta *Thesauraria*, licet nullum jus in ea vel ad eam
habuit, ut prefertur, Vestra *Sanctitas* in hoc, ut convincimur,
circumventa, dictam *Thesaurariam* tanquam per dimissionem dicti
Capellani vestri de jure vacantem reverendo in Christo patri Do-
mino *Petro Dei gratia titulo sancti stephani in Celso Monte Pres-*
bitero Cardinali de facto contulit & sibi providit de eadem, qui di-
lectum Clericum nostrum *Magistrum willielmum de la Mare* possessi-
oni dicte *Thesaurarie* ex causa permutationis cum Domino *walte-*
ro supradicto ut dicitur rite facte incumbentem, & in jus dicti
walteri succedentem, occasione dicte *provisionis* vestre fatigat mul-
tipliciter & molestat in enervationem judicii predicti, *depressionem*
juris Coronae nostre & regni nostri dampnum inestimabile, si novita-
tibus & usurpationibus hujusmodi minime resistatur, quibus nu-
per in Parlamento nostro apud *westm.* ostensis apertius & detectis,
ac super hiis deliberatione prehabita diligenti, *proceribus & periti-*
is ac toti regni nostri videbatur *consilio* tunc ibidem, quod pre-
dictum incumbentem pro *conservatione juris* nostri defendere de-
beamus. Quocirca vestre beatitudini votivis precibus supplica-
mus,

P 2

N. 97.
Rot. Romz 4
Ed. 3. n. 2.
John 22d then
Pope.

mus, quatenus premiffis clementer attentis & æquo libratu examine, *predictam provisionem* de dicta *Theſauraria* ut predictur in juris nostri prejudicium per vos factam, dignemini cautius revocare, dicto Domino *Cardinali* super hoc silentium imponentes, ut cessantibus litium amfractibus & aliis periculis majoribus que ex novitatibus et usurpationibus hujusmodi possint verisimiliter provenire, cum nimium nos turbaret, si quod absit, corona regia nostris temporibus suorum jurium pateretur eclipsum, in sinu solite dilectionis apostolice domus nostra regia fiducialiter conquiescat, que semper vota sedis apostolice cum fervente devotionis & obedientie promptitudine pro ceteris est hactenus prosecuta, quod quesimus dignetur advertere summe vestre presidentie sanctitudo quam ad salubre gregis sui regimine conservet altissimus per tempora diuturna. Dat. apud Westm. quartodecimo die Decembr.

N. 98.
Ror. Romz 10.
Ed. 3. M. 3.

PAPE Rex &c. beatorum. Inter sollicitudines varias que nos distrant hiis diebus, id præ ceteris insidet cordi nostro, ut jura corone nostre que progenitorum nostrorum digne recolenda nobilitas magnifice defensavit, sub nostro regimine salva vigeant et illesa, sane dicti progenitores nostri qui dudum *Anglicanam* fundarunt et dotarunt *Ecclesiam*, singulas *Cathedrales Ecclesias* nostri regni vacantes, olim libere contulerunt regio jure suo. Et postmodum ad supplicationem *Cleri*, et reverentiam ac rogatum domini summi Pontificis qui tunc universali præsidebat *Ecclesie*, concessit *Dominus Rex Anglie*, qui tunc erat Capitalis *Ecclesiarum Cathedralium* dicti regni, cum *Ecclesie* dictæ vacarent potestatem futurum Episcopum eligendi, salva sibi et successoribus suis hac prerogativa quod cedente vel decedente loci Pontifice, Capitulum ipsius *Ecclesie* significare debet Regi qui foret, pro tempore, vacationem *Ecclesie*, et ab eo petere et habere licentiam futurum Episcopum eligendi, et cum sic per licentiam Regis elegerit, teneretur presentare Regi personam electam, et petere ac habere assensum Regium electioni hujusmodi et electo, priusquam electionis sue negotium prosequeretur electus. Et cum esset postmodum confirmatus peteret et reciperet a Rege temporalia ad Episcopatum pertinentia et sibi fidelitatem faceret pro eisdem. Et si quid contra dictam formam forsitan actum esset, foret irritum et inane, et licet dicta forma seu prerogativa sit per sedem Apostolicam et specialiter per felices recordationis Innocentium Papam tertium predecessorem vestrum ex certa scientia confirmata, et a dictæ concessionis tempore inviolabiliter observata, Vacante tamen nuper *Norwiche. Ecclesia* regni nostri per mortem bone memorie W. ipsius Episcopi, Prior et Capitulum ejusdem ecclesie petita modo quo premititur et optenta a nobis eligendi licentia, subsequenterque presentata nobis electi persona, et petito ut regium preberemus assensum, cum tam de electione predicta quam ipsius electi persona aliqua nobis fide digna relatione suggesta fuissent, super quibus ante assensum nostrum hujusmodi debuimus plenius informari, ex deliberato peritorum consilio certum diem ipsi electo assignavimus satis brevem ad recipiendum responsum congruum in hac parte, sed idem electus nostrum responsum vel dictum terminum non expectans, preter assensum nostrum dedignanter rececit et ad prosequendum electionis sue nego-

negotium ad *Sanctitatis vestre Curiam*, ut dicitur se divertit, in nostri contumeliam & contemptum juris nostri Regii, prerogative nostre predictæ depressionem et *exheredationis* nostre periculum manifestum, de quo non mediocriter conturbamur. Quam ob rem solidam Apostolicæ clementie iustitiam quam in conservatione jurium nostrorum Regalium invenire confidimus cum grato favore propitiam humiliter imploramus, quatenus premiffis in debite considerationis examine revolutis, electo prefato, si sit contra jura nostra Regalia supradicta que adeo sunt notoria quod nulla tergiversatione celari poterunt, erga vos pro confirmatione electionis sue prosequi voluerit audientiam denegare velitis quousque assensum nostrum in forma predicta meruerit optinere, quem si peteret ut est moris sine difficultate prestabimus, nisi subsistat causa rationabilis propter quam id facere minime debeamus, hoc autem quesimus facere dignetur optentu iustitiæ pro conservatione juris nostri Regii, vestra benignitas gratioſa. Nam nimium nos tederet si tam notoria jura nostra Regia tantam paterentur nostris temporibus lesionem, quam etsi sic conniventibus oculis pertransire vellemus, fideles nostri minime tollerarent. Conservet &c. Dat. &c.

REX Vicecomitibus London. Salutem. Cum nuper in Parlamento celebris memorie Domini *Edwardi* quondam Regis Angliæ, Ati nostri, Anno regni sui tricesimo quinto apud *Carlisle*, tempore Domini Clementis divina providentia sacrosanctæ ac universalis Ecclesie tunc Summi Pontificis auditâ petitione coram ipso Avo nostro & consilio suo, ibidem per *Comunitatem* regni sui exhibitâ, continente quod cum *sacra Ecclesia* in statu Prelacie in regno Angliæ per ipsum Avum nostrum, & progenitores suos, *Comites*, *Barones*, & eorum Antecessores fuisset fundata, pro Catholice fidei informatione, sibi & populo faciendum, & orationibus, elemosinis, & hospitalitatibus in locis ubi Ecclesie fundate fuerint, pro ipsorum fundatorum, & eorum heredum & omnium fidelium defunctorum animabus faciendum; Quodque certe possessiones tam in feodo & terris quam advocatibus que ad maximum valorem attingunt per dictos fundatores prelati dicti Regni pro oneribus illis sustinendis fuissent assignate, & de possessionibus maxime *Archiepiscopis*, *Episcopis*, *Abbatibus*, *Prioribus* & aliis Domibus religionis, per ipsum Avum nostrum & Progenitores suos, *Comites*, *Barones*, & alios Proceres dicti Regni assignat, iidem Avus noster, *Comites*, *Barones*, ceterique proceres dicti Regni, tanquam *Domini* & *Advocati* tempore vacationum, habuissent et habere debuissent hujusmodi vacationum custodias, *Prebendarum*, *Ecclesiarum*, & aliarum dignitatum quarumcunque de *advocatione* Prelatorum predictorum existentium presentationes & collationes. Ac dictus Avus noster & dicti Progenitores sui semper hactenus maximam partem Consilii sui de dictis Prelatis ac ceteris indigenis ad hujusmodi beneficia promotis, quod sibi pro Salvatione Regni predicti, fore conveniens videbatur habere consueverint; predictus summus Pontifex donationem hujusmodi possessionum, & beneficiorum sibi appropriando, per provisiones suas hujusmodi dignitates, *prebendas*, & *Ecclesias*, alienigenis qui nunquam in dicto regno morabantur ac etiam *Cardinalibus* qui in eodem Regno morare non poterunt, & aliis tam alienigenis quam indigenis, ac si ipse Patronus & Advo-

N. 99.
Clauf. 13. Ed.
3. p. 1. m. 20.
Dont. De provisionibus.

Advocatus fuisset, cum de jure non existisset, dederit, concesserit & prelataverit, per que si tollerarentur, vix aliquod beneficium infra modici temporis spatium rararetur, cum omnia beneficia ad denariorem hujusmodi Prelatorum specialia, per provisiones hujusmodi in manibus essent alienigenarum & indigenarum contra piam voluntatem fundatorum eorundem, sique electiones Archiepiscoporum, Episcoporum, & aliorum religiosorum hujusmodi deessent; orationes, hospitalitates, & elemosine que in locis predictis fieri deberent subtraherentur, iidemque Avus noster & alii laici Patroni hujusmodi vacationum temporibus, presentationes & collationes suas amitterent, dictumque Consilium deperiret, bonaque innumera extra dictum regnum asportarentur, in Sacre Ecclesie Anglicane status adnulationem, necnon dicti Regni exheredationem, & in Corone sue, ac aliorum procerum dicti Regni exheredationem, & in offensionem & destructionem Legum & Jurium Regni ejusdem, & predicti populi maximum dampnum & depressionem, & status totius Regni predicti subversionem, ac contra piorum fundatorum voluntatem & dispositionem, de assensu Comitum, Baronum, Procerum & dicte Communitatis, premixtis erroribus & dispendiis intime consideratis in pleno Parlamento predicto, provium, ordinatum, concordatum, decretum, & consideratum fuisset, quod premixta gravamina, opprobria, & cetera dispendia supradicta in dicto Regno, extunc fieri non permitterentur quovis modo. Et super hoc omnibus quorum tunc interfuit, ex parte dicti Avo nostri per breviam sua prohibitum fuisset, ne quicquam quod in ipsius Regie dignitatis lesionem, seu Procerum et populi suiprejudicium cedere possit attemptarent, seu facerent aliquatiter attemptari: et insuper singulis vicecomitibus dicti Regni per hujusmodi breviam extitit demandatum, quod si quos per inquisitiones inde faciendi contrarium fecisse inveniri contingeret, tunc eos per eorum corpora caperent et salvo et secure coram ipso Avo nostro ad certum diem tam dicto Avo nostro quam aliis versus eos conqueri volentibus ducerentur responsuri, facturosque et recepturos quod Curia sua consideraret in premixtis. Ac jam in ultimo Parlamento nostro apud Westmonasterium in Quinzena Pasche proximo preterito tento, ad prosecutionem Communitatis dicti Regni per petitionem suam coram nobis et consilio nostro exhibitam nobis suggerentis errores, dispendia, et gravamina, in scandalum, dedecus, et depressionem totius Ecclesie Anglicane predictae, ac exheredationem nostri & Corone nostre, & aliorum Procerum dicti Regni, & offensionem & destructionem Legum & Jurium regni ejusdem, & populi nostri dampnum gravissimum, et status totius Regni predicti subversionem, ac contra Dei voluntatem, et ipsorum beneficiorum, fundatorum piam dispositionem, ac contra ordinationem, concordiam, decretum et considerationem predictam, & provisiones et reservationes beneficiorum hujusmodi per sedem Apostolicam factas multotiens evenisse, et nobis supplicantis ut eidem Ecclesie Anglicane ac nostre Comitum, Baronum, ac aliorum Procerum et Communitatis dicti regni nostri indemnitati, et exheredationi prospicere vellemus in hac parte per nos, Comites, Barones, Proceres, et dictam Communitatem provium, ordinatum, concordatum, decretum, et consideratum, et tam infra libertatem quinque Portuum nostrorum quam alibi per Costas Maris totius Regni nostri Anglie et alios Comitatus Regni predicti publice

lice proclamatum, et ex parte nostra firmiter inhibatum fuisset, ne quis cujuscumque status seu conditionis esset, sive fuerit Alienigena sive indigena literas, bullas, processus, reservationes, hujusmodi beneficiorum instrumenta, seu aliqua alia nobis seu Populo nostro prejudicialia infra idem Regnum nostrum Anglie sub gravi forisfactura nostra deferret Archiepiscopis, Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus seu aliquibus aliis infra idem regnum nostrum liberanda. Et quod nullus sub forisfactura nostra predicta ea recipere presumeret, nec quicquam aliud quod in nostri seu dicti Populi nostri prejudicium vel iurium Corone nostre aut provisionum, ordinationum, Concordiarum, Decretorum, & considerationum predictorum lesionem cedere posset faceret, aut fieri procuraret quoquo modo. Et quod insuper diligens Scrutinium in locis (ubi necesse esset) infra idem Regnum nostrum super omnes et singulos infra dictum Regnum nostrum Anglie venientes fieret. Et omnes illos quos contra proclamationem, et inhibitionem, predictas literas, bullas, Processus, reservationes seu instrumenta aliqua vel aliud quodcumque quod in nostri, seu dicti Populi nostri prejudicium deferentes contingeret inveniri, statim per eorum corpora attacharentur & in prisionis nostris salvo custodirentur donec aliud inde precepissemus. Et Litere, bulle, processus, reservationes, & instrumenta predicta ab ipsis caperentur et in Cancellariam nostram de tempore in tempus mitterentur. Et nos de nominibus illorum sic arrestandorum et aliorum quos contrarium in premixtis constare posset fecisse, in dictam Cancellariam nostram similiter de tempore in tempus redederemur certiores. Quidam tamen Provisiones tam Alienigenae quam indigenae et eorum Procuratores et Nuncii dictas provisiones, ordinationes, concordias, Decreta, Considerationes, proclamationes et inhibitiones non considerantes, nec penas in eis contentas timentes, Literas, Bullas, Processus, reservationes et instrumenta, et alia hujusmodi Nobis in dicto Populo nostro sic prejudicialia infra idem Regnum nostrum detulerunt. Et ea Archiepiscopis, Episcopis, Abbatibus, Prioribus, et aliis tam indigenis quam Alienigenis infra dictum Regnum nostrum Anglie, post et contra proclamationem et inhibitionem supradictas liberarunt exequenda, ipsique Archiepiscopi, Episcopi, et alii predicti Literas, Bullas, processus et instrumenta hujusmodi receperunt, et quamplures Provisiones et Procuratores Provisionum ad hujusmodi beneficia virtute dictarum Literarum, Bullarum, Processuum, reservationum, et instrumentorum admiservunt & eos in beneficiis illis induxerunt. Et sic dicti Provisiones et Procuratores dicta beneficia detinent occupata, in nostri et Corone nostre ac dicti populi exheredationem et intollerabile prejudicium et contra formam provisionum, Ordinationum, Concordiarum, Decretorum, Considerationum, Proclamationum et inhibitionum predictorum, et vos quicquam contra hujusmodi proclamationem et inhibitionem attemptantes, hactenus juxta tenorem mandati nostri vobis inde directi facere non curastis, unde quamplurimum conturbamur. Nos dicte Anglicane Ecclesie ac nostre et Corone nostre et dicti Populi nostri jura prout vinculo juramenti sumus stricti manutenere et defendere, has etiam provisiones, ordinationes, concordias, decreta et considerationes predicta illela volentes observare, et impugnatores eorundem debite cohercere, vobis mandamus firmiter injungentes, quod facitis iteratis

interdictis proclamatione, et inhibitione infra Civitatem predictam in locis ubi decet, quod nullus cuiuscunque status seu conditionis fuerit, sive fuerit *indigena* sive *Alienigena*, huiusmodi *Litteras, Bullas, processus, reservationes, instrumenta*, seu aliqua alia Nobis seu dicto populo nostro *prejudicialia*, infra idem Regnum nostrum deferat sub gravi forisfactura nostra, *Archiepiscopis, Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Militibus*, nec aliquibus aliis infra idem Regnum nostrum liberanda. Et quod nullus sub forisfactura nostra predicta ea *recipere* presumat, et omnes illos quos huiusmodi *Litteras, Bullas, processus, reservationes, instrumenta* seu alia quecunque nobis et populo nostro sic *prejudicialia* postmodum infra dictum Regnum nostrum *deferre*, Et ea alicui infra idem Regnum *liberare*, seu ea ab eis *admittere* et virtute eorundem beneficia aliqua *recipere*, seu aliquis in huiusmodi *beneficiis* occasione predicta *inducere* contigerit invenire, ac etiam illos qui huiusmodi *Litteras, Bullas, processus, reservationes, instrumenta*, seu aliqua alia nobis seu dicto Populo nostro *prejudicialia* post dictum *Parlamentum* nostrum, et contra *proclamationem, inhibitionem, provisionem, ordinationes, Concordias, Decreta* et *considerationes* predicta infra dictum regnum nostrum *detulerunt*, et virtute eorundem beneficia aliqua *adverserunt*, seu in huiusmodi *beneficiis* aliquarum huiusmodi *provisionum* virtute se posuerunt, seu ad eadem *admissi* fuerunt, ac etiam illos quos virtute *Ballarum, Litterarum, reservationum* et *provisionum* huiusmodi *appellationes, citationes, vel processus* aliquos *verius Patronos* seu eorum *Patronorum* *presentatos* vel alios quoscunque in quibuscunque *Civis* facere vel *prosequi* vel fieri, aut procurari, seu aliud quodeunque quod in *nostris* seu *diocesanis* *Comitiis, Baronum, Procerum, Patronorum*, vel dicte *Communitatis* aut *provisionum, concordiarum, Ordinationum, Decretorum*, vel *considerationum* predictorum *seipsum* cedere possit facere *præsumperit*, facto in hac parte diligenti *scrutinio*, habitaque inde viis et modis quibus poteritis quotiens necesse fuerit *informatione* pleniori, ubicunque eos inveniri contigerit infra *Civitatem* predictam, per eorum corpora capi et *arrestari* faciatis, et eos una cum *Litteris, Bullis, processibus, reservationibus, et instrumentis* secum vel alibi infra *Civitatem* predictam *inventis* coram nobis et *consilio* nostro statim cum eos capi et *arrestari* contigerit salvo et *securè* de tempore in tempus duci faciatis, *iustitiam* super hoc ibidem *recepturi*. Taliter vos habentes in executione presentis *Mandati* nostri, ne materiam habeamus ad vos tanquam *nostrorum* et *Regni* nostri *inimicorum* *fautores* graviter *capienti*. Teste Rege apud *Westmonasterium* tricesimo die *Januarii*, Anno Regni sui *Anglie* decimo octavo, et *Francie* Quinto.

Per ipsum Regem et totum Consilium.

Eodem modo Mandatum est singulis Vicecomitibus per Angliam sub eadem data, quod promissa faciant in Ballivis suis tam infra libertates quam extra.

Eodem modo Mandatum est Bartholomeo de Burghersh Constabulari. Castri Dovorr. et Custodi quinque Portuum vel ejus locum tenenti.

Ano-

A Nôtre Seigneur le Roy et son Conseil praïont Chevaliers des Countees, Citizens des Citees, & Burgeys des Burghs, que sont venuz a ceste Parlement pur la Communalte de Roialme et supplioient de par la dite Communalte que lui pleïse avoir bone consideration as choses dessous escripts et a les defauts que sensuient et ordeigner covenable remedic dicelx que serra la plus plesance chose a Dieu, & a sainte Eglise plus gracieuse, & plus profitable pur luy et pur son roialme que unques fuit fait. Et cy est ceo nostre sainte soy et nôtre ferme esperance que ceux que sont plesance chose a Dieu et saint Eglise auront grace de bone esloit en quanque ils auront affaire.

Primes que lui pleïse penser & repenser comment ses Progenitors nobles Roys d'Engleterre & autres grands de meisme la terre avec l'aide & la devocion de people cristien en aucien temps sefoient les Eglises en Angleterre puis pur grand devocion par deverles foitz & proces de temps donerent as ditz Eglises riches, rents, terres & grands possessions ou diverses franchises & toutes les temporaitez que eles ont, quelles choses ovesque ceo que nostre Seigneur le Roy meismes ad done & graunte a eux si amontent a plus que la tierce partie de son roialme: Et penser comment toutes cestes choses sont donez pro tiele devocion & tiele entent que les profitz ent fourdantz deussent estre despandez sur meismes les lieux as queux ils sont donez al'honneur de Dieu, come en maintenance des Eglises & places appartenantz en Hospitalitez, en Almoigne & diverses oueres de charitee & del service de Dieu, & de saint Eglise, come en Chappelanes, Clercs & pources que prirent nuyt & jour pur nôtre saint Pier le Pape & pur l'estat de saint Eglise, pur nostre Seigneur le Roy, & pur l'estat de son roialme, & pur la Pees, pur leur Foundours, Parons, & pur touz ceux que ont donez les biens as ditz lieux especialement et pur leur almes que la sont entres & touz Cristiens. Et pensez coment les Roys & autre grands pur leur grande devocion & les grandes douns qu'ils avoient issint donez a saint Eglise feurent en peissible possession de doner les Eglises & les benefices de saint Eglise, come feist le Roy saint Edward que dona Levesche de Wycestre a saint Wulston, & puis par devocion de Roys fuit grante & par la Court de Rome conferme que les Cathedralz Eglises avoient frank election de leur Prelatz selonc la ley Dieu & de saint Eglise ent ordeigne parpetuellement adurer. Et si soloient les Eveschees et verray election et les autres benefices de saint Eglise per saint consideration & par charite sanz scruple de covetise ou de symonie estre done as gentz plus dignes de Clergie de nette vye, et de saint conversation que pont estre trevez que voïoient demurrer sur leur benefices precher, visiter, et confesser, leur Parochiens et despendre les biens de saint Eglise, al'honneur de Dieu, en tieux overez de charite, come dessus est dit, et selonc la devocion a la entente des donours. Et si longement come celles bones custumes feurent uzez le Roialme fuit pleine de toutes prosperites come des bones gentz et bone loialte des Clerks et de Clergie, des Chivaleers et des Chivalreez sont deux choses que touz jours regnant ensemble de pees et de quiete, de trefour, bledz et de bestail et d'autres richesse assez. Et puis les bones custumes feurent pervertiez empesche de covetise et de Symonye, le Roialme adeste plein des diverses adversitez, come

N. 100.
Rot. parl. 50.
Ed. 3. n. 94.
Bille encounter
le Pape et le
Cardinaux.

Q

des

des guerres et pestilences, feym, moreyns des bestes et de autres grevances par quoi le roialme est si empovery et destruit qu'il ny ad myc la tierce partie des gentz, ne des autres choses fuiditz, come soloit estre par la cause fuidite, et par enche-
fons desouz escriptiz.

Ibm. n. 95.

I Tem fait a penser quil ny ad nul homme de mounde que eyme Dieu et de seint Eglise, le Roy et le Roialme d'Engleterre que nad grant matier de penser de tristesse et delermer de ceo que la Court de Rome, que deust estre fontaigne, racyne, et source de seintete, et destruction de covetise, de symonie et des autres pecches ad si sotilment de poi en poi et de plus en plus par proces du temps par soeffrance et par Abbet des malveys ore autrement a demesure que unques fuit devant attrer a lui les collations des Archeveschies et Evechies, dignitez proven-
des et des autres benefices de seint Eglise en Engleterre des queux le *taxe* amount a plus que cynk foitz le *taxe* des touz les profitz que appartiennent au Roy per An de tout son roialme. Et de cheescun Eveche et des touz autres benefices que le Pape donne il voet avoir la *taxe*. Et si Levesque devie devant ceo quil ad paye le *taxe* le Pape le fait lever ensemblement oue une novel *taxe* de son Succellour et pur plusieurs *taxes* aver le Pape fait d'une voidance deux ou trois par voye des translations et tantz des *taxes* il voet aver et quant un Eveque ad ses bulles, et ferra tant endette vers la Court de Rome pur le *taxe* et autres paymentz et costages qui lui coment vendre les Boys de son Eveche a prompter de ces amys avoir eyde de ses pources tenantz subside de sa Clergie, et tout va en destruction de seint Eglise et de roialme d'Engleterre, et tout ensi voet le Pape avoir le *taxe* de cheiscune dignite et benefice quil donne.

Ibm. n. 96.

I Tem fait a penser quil y sont plusieurs que quont ils averont purchace un benefice de la Court de Rome et paye le *taxe* et as *brocours* des benefices demorantz en la *pechereuse Cite Davenon* leur sont ils mettent leur benefices a ferme quele ferme ferra mande as ditz *brocours* pur ent purchaser plusieurs benefices et greindres et greindres. Et tout ensi par voye de *simonye* et de *bracage* un cheitif que nul bien soiet et riens ne vant ferra avance as Eglises et provandres a la value de mill marceez par la un docture de decre, et un meistre de Divinite ferra lee dever un petit benefice de xx. marceez et issint perdent Clerks esperance d'estre avance per leur Clergie et talen d'apprendre.

Et par mesme la cause gentz lassent de mettre leur enfantz a l'escole et aensy va Clergie queest la substance de seint Eglise, et de notre seint foy et declin et anient.

Ibm. n. 97.

I Tem fait a penser coment alienes enemys a ceste terre, et autres demurrantz outre meer ont benefices, riches, reintes de seint Eglise en Engleterre que unques virent ne jammes ne verront leur parochiens que ne sont autre chose de leur benefice fors que louthreient le service Dieu & de Seint Eglise et tous oeuvres de charite que soloient estre faits illoques et les places descheier parochiens propier en corps et alme et attront a eux hors de roialme

alme touz les profitz de ceux benefices en la bone de ceste terre qu'est grande empoverissement et destruction a seint Eglise et a ceste terre, et si est seint Eglise plus destruyt par *telx malvoies Cristiens* que par touz les *Jewes & Saracyns de monde*.

Ibm. N. 98.

I Tem fait a penser que la leye de seint Eglise est tiele que benefice de seint Eglise doit estre donee gracieusement par pure charite sauns pris et saunz prier, et nul homme doit doner, or n'argent ne nul autre chose de monde pur benefice de seint Eglise.

I Tem fait a penser come loy et reson et bone foy volent que ceo queest done a seint Eglise pur devotion soit despendu al honore de Dieu solonc la devotion et l'entent de donour et non pas hors de roialme sur nos enemys.

Ibm. N. 99.

I Tem fait a penser que dieux ad comys ses oweles a nostre seint Pere le Pape a pasturer et non pas a tounder.

I Tem fait a penser coment les lais patrons de seint Eglise veantz tant de covetise & Symonie regner vers gentz de seint Eglise prenent ensample deaux & vendent les Eglises, dont ils sont Patronnes, as gentz que la destruyt come une beste, & comme Dieu fuit vendu a les Jewes, qui lui mistrent a la mort.

Ibm. N. 100.

I Tem fait a penser quil ny ad null si riche Roy en toute la Cristiantee quad la quart partie tant de tresore come a de le hors de la roialme d'Engleterre pur benefices de seint Eglise pechereusement par la maniere fuidite en empoverissement & destruction de roialme & de seint Eglise par soeffrance & de-faute du Conseil.

I Tem fait a penser & grandement a douter que depuis que seint Eglise nostre seint Miere en Dieu de qui nous per nous nostre baptisme queest la porte de tiel espouse Jehu Christ par laquelle nous esperions estre sauvez si pechereusement de mesme & touz les malx de monde venent de pecche, que si null pecche y fuist, null male avenist.

E T tout temps ad este & touz jours ferra que la ou reigne grande iniquite grande y avera adversite que Dieu veant tant iniquite regner entre nous nous envoit tant d'adversite, come nous avons des guerres, pestilences, feym, mortalitez des gentz grandes & petites, moryne de bestail, & autres grevances par meer & par terre accordant a nostre desert pur noz pecchez, & noement pur les pecchez fuiditz.

Ibm. N. 101.

P AR quoi pleise a nostre Seigneur le Roy penser coment il est ore l'an cyngantisme de son roialme queest appelle l'an Jubile, c'est assavoir l'an du grace & de joie, & que ferra la greindre grace & joie que unques avoient a son Roialme, & la plus pliance chose a Dieu & seint Eglise & as touz ceux que eimient Dieu et seint Eglise que unques fuit fait, d'ordeigner

covénable remédie des choses fuiditz que si destruent le Roialme & feint Eglise & daver la besoigne a coer.

Ibm. N. 102.

ET par une lettre deffouth son feal en latyn & par une autre deffouth les fealx des Grands de Roialme en Franceys come autre soit ordeigne en parlement comprenant ceste matiere prier a notre feint Pere le Pape que pleise a la seintee aver bone consideration as choses fuiditz & nomement a ceo que la ley de seinte Eglise par la quele toute la Chrifientee doit estre reule est tiel come dessus est dit que benefice de seint Eglise dount estre done graciousement par pure charite sanz rien doner pur y ceo. Et auxi aver regarde ceo que ley, reson, & bone foy volent que ceo quest done a seint Eglise soit despendu al honure Dieu & de mesme l'Eglise solonc la devotion & l'entent del doner. Et que pleise a sa Seintee soeffrer les Cathedrales Eglises avoir franks electon de leur Prelatz solonc la dit ley de seint Eglise & solonc la grant & confernement de la Court de Rome fuidite, & des autres choses que sont cy nufantz & displefantz faire tiele ordinance quil soit al honure Dieu & de seint Eglise, & a l'encrese de la devotion del peuple Cristien, & par issent que le peuple puisse avoir devotion de meyntenir ceo qu'est done a seint Eglise, par voie denores & non pas de toler ceo qu'est done que Dieu desent par les causes fuiditz & pur defaute de correction dycelx, & que seint Eglise poet estre reulee & gouvernees come ele fuit en temps seint Gregorye & des autres seints que donerent bonez ensamples de bien faire. Et pleise a nostre Seigneur le Roy ordeigner & commander sur peine de forfaiture & d'emprisonement que nul homme soit sy hardye de faire apporter d'envoyer outre meer riens de la bone monie de ceste terre n'apertement per lettre de Lumbard n'en null autre manere. Et que null Lumbard n'autre face tielx lettres sur mesme la peyne & sur ceo soit bone enquerre par Justices de la pees & d'assises en chescun cession. Et que null homme sur peyne de forfaiture de quanque il ad procure ne face destourbanche a cest besoigne.

Ibm. N. 103.

Ibm. Rom.

LE Roy ad fait ordeigner de remédie suffisant devant ceste heure par estatuz & autrement & est en pursuant devers le seint Pier le Pape pur mesmes les besoignes & est en perfit volonte de faire de temps en temps tantque al final esloit dicelles sibien cestassavoir de celles besoignes comprises en cest groos bille prochein precedente come de celles que sont comprises en le roule prochein ensuant come de celles quelles comprennent tout a poy une mesme matiere.

N. 101.
In the Regi-
sters Office of
the Archbi-
shop in Drs.
Commons. Re-
gistrum Rey-
nolds fol. 241.
a.

Johannes Episcopus servus servorum Dei, ad futuram rei memoriam. Cum sicut intelleximus Ecclesia Rossensis per obitum bonae memoriae Thome ipsius Ecclesiae Episcopi vacare noscitur ad praesens. Nos ad bonum statum ipsius Ecclesiae intendentes provisionem ejusdem Ecclesiae hac vice certis de causis quae ad id animum nostrum induxerunt, Ordinationi & Dispositioni sedis Apostolicae auctoritate praesentium plenarie reservamus. Decernentes ex nunc irritum & inane si secus contra hujusmodi nostrae reservationis tenorem per quoscumque scienter vel ignoranter quo-

vis

vis modo contigerit attemptari. Nulli ergo omnino hominum liceat hanc paginam nostrae Reservationis & Constitutionis infringere vel ei ausu temerario contraire. Si quis autem hoc attemptare praesumpserit, indignationem omnipotentis Dei, ac beatorum Petri & Pauli Apostolorum ejus, se noverit incursurum. Dat. Avinion 14 Kal. Aprilis Pontificatus nostri primo.

A John 22d. who was chosen Pope A. D. 1316
This 14 of the Kalends of April was 9. Edw. 2d
1316. and the same year he was chosen.

Et memorandum quod 3 Kalend. Maii Publicatio facta fuit apud Arcus London. Et secundo Kalend. Maii subsequente Publicata fuerat apud Rossam coram Monachis.

B See the History of this Provision in Historia sacra, parte prima. f. 357. in the Historia Rossensis, by William de Dene.

Item les Seigneurs & Communes du Roialme Dengleterre esteantz a ceste Parlement grantent par eux & par tout la Communalte Dengleterre le subsidie des Leynes, quirs, & peaulx lanutz, & un autre Subsidie a prendre des biens des certains perones permy le Roialme, soubz certains fourme & manere compriez en un Cedule ent faite & baillie avant en Parlement dont le tenour sensuit de mot a mot.

N. 101.
Rot. parl. 2.
Ric. 2. parte
2. d. 13. apud
Westmonasterium.

LES Seigneurs & Communes du Roialme Dengleterre considerantz les grandes necessitees du dit Roialme, & la malice des Enemys de France, & aillours entendant grant recoverer au dit Roialme & destruction des ditz Enemys que poent avenir per le grace de Dieu si suffisantie des Gentz d'armes & des Archiers en brief soit envoie entre la Meer sur les ditz Enemys pur eux grever & leur malice aresteer solonc la sage discretion nostre tresredoute Seigneur le Roy et les Seigneurs esteantz a cest present Parlement en lieu ou leur semblera a pluis necessaire et profitable en esloit de nostre Seigneur le Roy et de son dit Roialme grantent que si la Marc du Saak des Leynes & les sjs deniers de la Livre que furent grantez au darrein Parlement tenuz a Gloucestr soient pardonez & adnullez a present la Subside des Leynes adaver per un An entier apres la Feste de seinte Michel prochein avenir, cestassavoir de chescun Saak tant come estoit grantez devant le dit Parlement de Gloucestre & un somme d'argent a Lever des diverses perones du Roialme en manere come ensuit sibien dedeins Franchises realx come dehors, cestassavoir.

F Le Duc de Lancastre et le Duc de Bretagne } x. Marcs.
chescun a. }
Item chescun Counte d'Engleterre. } iiii l.
Item chescun des Countees veoues en Engle- } iiii l.
terre a tant come les Countz. }

Item

Ibm. N. 14.

Item chescun Baron et Baneret ou Chivaler que⁷ $\frac{1}{2}$ xl s.
poet a tant dispendre.

The Duke of *Lancaster* and the Duke of *Bre-* $\frac{1}{2}$ x. marks.
tagne each.

Also every Earl of *England*. $\frac{1}{2}$ liii l.

Also every Countess that is a Widow in *Eng-* $\frac{1}{2}$ liii l.
land, as much as the Earls.

Also every Baron and Baneret, or Knight of as $\frac{1}{2}$ xl s.
good an Estate as a Baron or Baneret.

And so on in the *English* exactly Translated from the *French*.

Also every Baroness, that is a Widow, shall pay $\frac{1}{2}$ xl s.
as a Baron, and Baneress as a Banerett.

Also every Batchelour, and every Esquire, who $\frac{1}{2}$ xx s.
by Statue ought to be made a Knight.

Also every Widow that was the Wife of a Bat- $\frac{1}{2}$ xx s.
chelor, or Esquire.

Also every Esquire of less Estate. $\frac{1}{2}$ vis. viii d. C

Also every Woman, Widow of such an Esquire, $\frac{1}{2}$ vi. s. viii d.
or sufficient Merchant.

Item chescun Esq; nient possesseur des terres, $\frac{1}{2}$
rent, ne Chateaux qu'est en service, ou adeste $\frac{1}{2}$ liii s. iii d.
armez.

Also every Esquire without Possessions, Lands, $\frac{1}{2}$
Rents, or Goods, that is in Service, or bears $\frac{1}{2}$ liii s. iii d.
Arms.

Also the chief Prior of the Hospital of Saint $\frac{1}{2}$ xl s.
John, as a Baron.

Also every Commander of the same Order of $\frac{1}{2}$ xx s.
England, as a Batchelour.

Also every other Brother, Knight of the same Or- $\frac{1}{2}$ liii s. iii d.
der.

Also all other Brothers of the same Order, as $\frac{1}{2}$ liii s. iii d.
an Esquire without Possessions.

Also every Justice, as well of the one Bench, $\frac{1}{2}$
as of the other, and the chief Baron of the $\frac{1}{2}$
Exchequer, each.

Also every Serjeant and great Apprentice of the $\frac{1}{2}$ xl s.
Law.

Also

Also other Apprentices which follow the Law. $\frac{1}{2}$ xx s.

Also all other Apprentices of less Estate, and $\frac{1}{2}$ vis. viii d.
Attourneys, each.

Also the Major of *London* shall pay as an Earl. $\frac{1}{2}$ liii l.

Also the Aldermen of *London*, each as a Baron. $\frac{1}{2}$ xl s.

Also all other Majors of great Towns in *Eng-* $\frac{1}{2}$ xl s.
land, each as a Baron.

Also other Majors of smaller Towns, $\frac{1}{2}$ xx s. or vis. viii d.
according to the value of their Estate.

And all Jurates of good Towns, and great $\frac{1}{2}$
Merchants of the Realm, shall pay as Batche- $\frac{1}{2}$ xx s.
lours, each.

Also other sufficient Merchants, $\frac{1}{2}$ liii s. iii d.

Also all lesser Merchants, and Arti- $\frac{1}{2}$ vi. s. viii d. iii s. iii d.
ficers, Husbandmen, or who live $\frac{1}{2}$ ii s. xii d. or vi d.
upon Tillage according to the va- $\frac{1}{2}$
lue of their Estate.

Also every Serjeant and Freeman $\frac{1}{2}$ vis. viii d. or xl d.
of the Country according to their $\frac{1}{2}$
Estate.

Also the Farmers of Mannors, Perfo- $\frac{1}{2}$ vis. viii d. xl d.
nages, and Granges, Merchants of $\frac{1}{2}$ ii s. or xii d.
Beasts, and other Buyers and Sel- $\frac{1}{2}$
lors, according to their Estate.

Also all Advocates, Notarys, and $\frac{1}{2}$
Proctors who are Married, shall $\frac{1}{2}$ xl s. xx s. or vis. viii.
pay as Serjeants of the Law, Ap- $\frac{1}{2}$
prentices of the Law, and At- $\frac{1}{2}$
tourneys, each according to their $\frac{1}{2}$
Estate.

Also all Apparitors that are Married, $\frac{1}{2}$ liii s. iii d. ii s. or xii d.
according to their Estate.

Also all Inn-keepers that have not the $\frac{1}{2}$
Estate of a Merchant, shall pay $\frac{1}{2}$ xl d. ii s. or xii d.
according to his Estate.

Also every Married Man, for himself $\frac{1}{2}$
and his Wife, that have not the $\frac{1}{2}$
Estates above-named, and above $\frac{1}{2}$ liii d.
the age of sixteen, except very $\frac{1}{2}$
Beggars.

And

And every Man and Woman unmarried, of such an Estate, and above the Age aforesaid. } *iiii. d.*

Also every strange Merchant of what Condition soever, shall pay according to his Ability, as other Denizens. }

N. 103.
Walsinghami
Historia fol.
254. n. 10.

Richardus Dei gratia Rex Angliæ & Franciæ, & Dominus Hiberniæ, omnibus ballivis & fidelibus suis ad quos præsentis literæ pervenerint, Salutem. Sciatis quod de gratia nostra speciali, munimus universos ligeos & singulos subditos nostros, & alios comitatus Hertfordiæ, & ipsos & eorum quemlibet ab omni bondagio exuimus & quietos facimus per præsentem, ac etiam pardonamus eisdem ligeis ac subditis nostris omnimodas felonias, proditiones, transgressiones & extortiones, per ipsos vel aliquem illorum qualitercunque factas, siue perpetratas, ac etiam utlegariam vel utlegarias si qua vel quæ in ipsos vel aliquem ipsorum fuerint vel fuerint his occasionebus promulgata, vel promulgatæ, & summam pacem nostram iis & eorum cuilibet inde concedimus. In cuius rei testimonium has literas nostras fieri fecimus patentes.

Teste meipso apud London. 15. die Junii, anno regni nostri quarto.

N. 104.
Ibid. fol. 268.
n. 10. 26. 30.

Richardus Dei gratia Rex Angliæ & Franciæ & Dominus Hiberniæ, universis & singulis Vicecomitibus, Majoribus & Ballivis, & aliis fidelibus nostris comitatus N. Salutem. Quia datum est nobis intelligi, quod diversi subditi nostri qui contra pacem nostram & inurbationem populi in diversis Comitatus regni nostri Angliæ se levarunt, & in diversis conventiculis & congregationibus se posuerunt, & damna plurima fidelibus nostris perpetrando populo nostro Comitatum prædictorum, dant intelligi & affirmant se dictas congregationes & levationes ex nostris voluntate & autoritate fecisse & facere ac damna perpetrare. Vobis innotesimus per præsentem, quod huiusmodi levationes, congregationes, & damna ex nostra voluntate seu autoritate minime processerunt, prout nec procedere aut fieri debet, sed inde quantum plus potest, nobis displicet in immensum, & ea in nostri maximum vituperium & coronæ præiudicium & totius regni nostri damnum, & turbationem redundare sentimus. Et ideo vobis & cuilibet vestrum iungimus & mandamus quod hoc in locis, ubi melius & celerius pro pace nostra in hac parte conservandâ vobis videbitur faciendum, publice proclamari, & pro resistentia quorumcunque contra pacem nostram (ut prædictum est) levantium manu forti, pro toto posse vestro, si necesse fuerit, taliter ordinari faciatis, quod pro defectu huiusmodi proclamationis & resistentiæ, damna vel mala aliqua in Comitatus prædictis per huiusmodi Congregationes seu levationes, vel alio modo, minime fiant seu perpetrentur, & sub forisfactura omnium, quæ nobis forisfacere poteritis, nullatenus omittatis. Præcipientes universis & singulis ligeis & subditis nostris, quod ab huiusmodi congregationibus & le-

levationibus, & damnis penitus desistentes, ad propria se trahant, & ibidem in pace morentur, sub forisfactura vitæ et membrorum et omnium aliorum quæ nobis forisfacere poterunt.

Teste Rege apud Londonias 17. die Junii Anno regni nostri quarto.

N. 105.
Walsinghami
Historia fol.
295. n. 10.

Authoritate Apostolica mihi in hac parte commissâ, te **A. B.** ab omnibus peccatis tuis ore confessis, & corde contritis, & de quibus confiteri velles, si tuæ occurrerint memoriæ, absolvimus, & plenariam peccatorum tuorum remissionem indulgemus, & retributionem iustorum ac Salutis æternæ pollicemur augmentum, & tot privilegia quæ in terra sancta subsidium proficiantibus conceduntur, tibi concedimus, ac Ecclesiæ universalis synodi, & Ecclesiæ sanctæ catholicæ orationum & beneficiorum suffragia tibi impartimur.

Vous Jurrez que vous garderez & ferrez garder la bone Pees, Quiete & Tranquillite du Royame, & si aucuns veulle faire contre cela vous luy contrestierres, & destourberrez a tout vôtres poair, Et si aucuns Gentz veulent Riens faire contre les Corps des persons des cinq Seigneurs, cestàsavoir, Thoms Duc de Gloucestre, Henry Count de Derby, Richard Count d'Arundel & de Surrey, Thomas Count de Warwick, & Thomas Count Marechal, ou aucun de eux, vous estesres ove les dit cynk Seigneurs jusques a l'entier fin de cest present Parlement & eux maintiendrez & sustendrez a tout vôtres poair a vivre & morir ove eux contre touz, nul persone, n'autre chose except en manere avantdite. Savant tout soit vôtres ligeance envers nôtre Seigneur le Roy & la Prerogative de sa Corone & les loyes & bones Customs du Royame.

N. 106.
Rot. parl. 11.
Ric. 2. n. 13.

Vous Jurrez que vous ne assenterez ne ne seoffrez en quelque en vous est que aucun Juggement, Estatute ou Ordenance fait ou renduz en cest present Parlement soit aucunement annullez, reversez, ou Repellez en aucun temps avenir. Et contre que vous sustendrez les bones Loies & usages du Royame avant ces heurs faits & usez & fermement Garderez & ferrez Garder la bone pees, Quiete & Tranquillite en le Roialme sanz destourber en aucune manere a vôtres poair, si Dieu vous eid & les Seints.

N. 107.
Rot. parl. 11.
Ric. 2. n. 48.

In nomine Dei amen. Cum de jure et consuetudine Regni Angliæ ad Archiepiscopum Cantuariensem qui pro tempore fuerit, necnon ceteros suos suffraganeos, confratres, & Coepiscopos, Abbates, Priores, aliosque Prelatos quoscunque per Baroniam de Domino Rege tenentes pertineat in Parlamento Regis quibuscumque ut Pares regni nostri predicti personaliter interesse ibidemque de regni negotiis et aliis ibi tractari consuevit, cum ceteris dicti regni paribus et aliis ibidem jus interfrendi habentibus consulere et tractare, ordinare, statuere, et diffinire, ac cetera facere que Parlamento tempore imminent faciendâ, in quibus omnibus et singulis nos Wilhelmus Cantuariensis Archiepiscopus totius Angliæ Primas, et Apostolice sedis Legatus pro nobis nostrisque suffraganeis, Coepiscopis et confratribus, necnon Abbatibus, Prioribus, ac Prelatis omnibus supradictis, protestamur, et eorum quilibet protestatur qui per se vel Procuratorem hic fuerit, modo presens publice et

N. 108.
Rot. parl. 11.
Ric. 2. n. 9.

R

expresse

expresse quod intendimus et intendit, volumus ac vult eorum quilibet, in hoc presenti Parlamento et aliis, ut Pares regni predicti more solito interesse, consulere, tractare, ordinare, statueret, et diffinire ac cetera exercere cum ceteris jus interessendi habentibus in eisdem statu et ordine nostris et eorum cujuscumque in omnibus semper salvis. Verum quia in presenti Parlamento agitur de nonnullis materiis in quibus non licet nobis aut alicui eorum juxta sacrorum Canonum instituta quomodolibet personaliter interesse, Ea propter pro nobis et eorum quolibet protestamur, et eorum quilibet hic presens etiam protestatur, quod non intendimus, nec volumus sicuti de jure non possumus, nec debemus, intendit nec vult aliquis eorundem in presenti Parlamento, dum de hujusmodi materiis agitur vel agetur quomodolibet interesse, set nos et eorum quemlibet in ea parte penitus absentare. Jure Paritatis nostre et cujuscumque eorum interessendi in dicto Parlamento quoad omnia et singula inibi exercenda nostris et eorum cuilibet statui et ordini congruentia, in omnibus semper salvo. Ad hec insuper protestamur et eorum quilibet protestatur quod propter hujusmodi absentiam non intendimus nec volumus, nec eorum aliquis intendit vel vult quod processus habitus et habendi in presenti Parlamento super materiis antedictis in quibus non possumus, nec debemus ut pramittitur interesse, quantum ad nos et eorum quemlibet attinet futuris temporibus quomodolibet, impugnetur, infirmetur, seu etiam revocentur. Quelle protestacion lieu en plein parlement al' instance et priere du dit Ercevesque et les autres Prelatz susdits est enrouleez icy en roulle du Parlement par commandement du Roy et assent des Seigneurs temporels et communes.

Seuble protestacion firent les Evesques de Duresme & Kardoyl, mutatis mutandis.

N. 109.
Rot. parl. 21.
Ric. 2. n. 38.

Vous Jurrez que bien & Loyalment tendrez, sustendrez, & estres sanz fraud ou mal Engyn ove tous les estatutz, establisementz, ordenances, & Judgements faitz ou renduz en cest present Parlement, sanz jamais aler ou fair, a lencontre de null dicell ou dependantz ou parcell dicell, ne que james vous les repelleriez, revokeiez, casserez, irriteriez, reversez, ne annullerez, ne james soeffrez repeller, revoke, casser, irriter, reverser ne annuller a vivre & murrir savant au Roy sa Regalie & libertie & la Droit de sa Corone.

N. 110.
Ibm. n. 40.

Vous Jurrez que jamais en temps avenir, vous ne soeffrez nully vivant aler ne fair a lencontre de nul des estatutz, establisementz, Ordenances, & Juggements, faitz ou renduz a cest present Parlement ne a nul Dependances ou percell dicell. Et si nully le face & de ceo soit duement convict vous ferrez votre enties poair & Diligence lanz fraud ou mal Engyn, Et persueriez devers nostre Seigneur le Roy & ses heires Roys Dengleterre de luy faire avoir execution come haut et faux Traitor a Roy & au Roialme, savant au Roy sa Regalie & Libertee, & le droit de sa Corone.

N. 111.
Placit. Co.
roz in Par.
liamento 21.
Ric. 2.

Ricardus Dei Gratia Rex Anglie & Francie, & Dominus Hibernie carissimo consanguineo suo Thome Comiti Mariscallo Capitaneo ville nostre Cales & ejus locum tenenti, Salutem. Cum carissimus frater Edwardus Comes Rutland, dilectus consanguineus

nofter,

nofter, Thomas Comes Kancie, carissimus frater nofter, Johannes Comes Huntingdon, dilecti consanguinei nostri Thomas Comes Nottingham, Johannes Comes Somers, Johannes Comes Sarum, & Thomas Dominus Despenset & dilectus & fidelis nofter Willielmus Le Scrop, Camerarius nofter, coram nobis in presenti Parlamento nostro inter alios appellaverunt Thomam Ducem Gloucestr. in prisona nostra sub custodia vestra de mandato nostro existentem de diversis Prodicionibus per ipsum & alios, contra nos, statum, Coronam, & Dignitatem nostram factis & perpetratis, ipsique appellantes appellum suum predictum se oprulerunt in Parlamento nostro predicto, secundum legem & Consuetudinem in Regno nostro Anglie hactenus usitatam profecturos, nobis humiliter supplicando, quatenus ipsum Ducem ad respondendum sibi super appello tuo predicto coram nobis in eodem Parlamento nostro corporaliter venire jubere volumus, nos supplicationi predictae annuentes, Vobis mandamus firmiter injungentes quod prefatum Ducem coram nobis & consilio nostro in Parlamento nostro predicto cum omni festinatione qua poteritis salvo & secure venire faciatis ad respondendum prefatis appellantis, super appello tuo predicto, secundum legem & consuetudinem predictas, & ad faciendum ulterius & recipiendum quod per nos et dictum consilium nostrum in eodem Parlamento nostro, de eo tunc contigerit ordinari. Et hoc nullatenus omittatis, et habeatis ibi hoc breve. Teste meipso apud Westmon. xxi die Septembris. Anno regni nostri xxi.

Per ipsum Regem & Consilium

in Parlamento.

Billington.

Responsum Thome Comitis Mariscalli infra nominati.

Thomam Ducem Gloucestr. infra nominatum coram Vobis et Consilio vestro in presenti Parlamento venire facere non possum ad faciendum prout istud breve exigit et requirit, pro eo quod idem Dux mortuus est, et quem quidem Ducem ex precepto excellentissimi Domini Regis habui in custodia mea in prisona Domini Regis Ville Cales et ibidem in eadem moriebatur.

Ricardus Dei gratia Rex Anglie et Francie et Dominus Hibernie dilecto et fideli suo Willielmo Rykhill Salutem. Sciatis quod quibusdam certis de causis assignavimus vos ad vos versus Villam nostram Cales divertendos & colloquium cum Thoma Duce Gloucestr. ibidem existente habendos, ipsumque de omnibus et singulis que vobis dicere sive exponere voluerit audiendos, et nobis inde ac de toto facto vestro in hac parte in propria persona nostra ubicunque nos fore contigerit, sub sigillo vestro distincte et aperte certificandos, una cum hoc brevi. Et ideo vobis mandamus quod circa premissa diligenter intendatis, et ea faciatis & exequamini in forma predicta. Damus autem Capitaneo nostro Ville predictae necnon universis et singulis fidelibus et subditis nostris tenore presentium firmiter in mandatis quod vobis in executione premiorum sint prout decet. In cujus rei Testimonium has literas nostras fieri fecimus patentes. Teste

R 2

Teste

N. 112.
Ibm.

Teste meipso apud Wodstock xvii die Augusti, Anno Regni nostri xxi.

N. 117.
Rot. parl. 21.
Ric. 2. n. 89.

A Squeux Juggemens, Ordenances, et Establissemens enli faitz ordonez et assentuz le dit Marfidi le xviii jour du Marce et toutz les estatuz, establissemens, Ordenances et Juggemens faitz et renduz en dit Parlement, ou a Coventre ou ailleurs par vertute et Autorite mesme le Parlement serement tenir et garder si bien les Seigneurs Espirituels come Temporels et certain Chevaliers pur Comtes par autorite de Parlement y esteants, mesme le Marfidi furent Jutez en presence du Roy sur la Croice de Cantarbirds, de les tenir & sustenir et de esteer ove jcelles sanz fraud ou mal engyne solonc la form & effet de les serments par eux faitz par devant come contenuz est en Rolle de Parlement. Des queux Seigneurs et Chevaliers les nous cy ensuant, Cestassavoir.

Lercevesque de Cantirbir.
Lercevesque de Everwyk.
Levesque de Londres.
Levesque de Wincestre.
Levesque de Ely.
Levesque de Norwic.
Levesque de Excestre Chancellor.
Levesque de Ross.
Levesque de Hereford.
Levesque de Sarum.
Levesque de Nicholle.
Levesque de St. Asaph.
Levesque de St. David.
Levesque de Cestre.
Levesque de Cicestre.
Levesque de Landaffe.
Labbee de Westminster.
Labbee de St. Esmon.
Le Duc d'Everwyk.

Le Duc d'Albemarle.
Le Duc d'Excestre.
Le Markys de Dorset.
Le Count de Staff.
Le Count de Sarum.
Le Count de Northumberland.
Le Count de Gloucestre.
Le Count de Westmrieland.
Le Count de Wircestre.
Le Count de Wilts Tresorer.
Le Count de Suff.
Le Sire de Grey de Ruthin.
Le Sire Ferrers de Groby.
Le Sire de Lovell.
Le Sire de Camoys.
Monsieur John Bussy.
Monsieur Henr. Grene.
Monsieur John Russell.
Robert Teye.

E T apres cestes seremens enli faitz le Chancelier par Comandement du Roy comanda overment que toutz ceaux que furent Jurrez & vorroient tenir cestes Juggemens, Seremens & Ordenances adresseroient en haut leur maynes Dextres. Quele chose seult fait & assentuz par tout le Peuple Dengleterre esteant en presence du Roy.

N. 117.
Rot. parl. 1.
Hen. 4. n. 73.

Joesdy le xxiii jour d'Octobre Lettrebesque de Canterbirds chargea de par le Roy toutz les Seigneurs Espirituels & Temporels & toutz autres y esteantz sur leur ligeance que ceo que lors serroit monstrez ou parlez illoques serroit tenuz conseil & quil ne serroit aucunement discoverez a null vivant. Et puis apres demandez fust par le Cont de Northumb. par le Suertie du Roy & de toutz estatuz du Roialme coment leur semble que serroit ordeigne de Richard nadgaires Roy pur luy mettre en sauze Garde sawant sa vie, que le Roy voet que luy soit sawez en toutes maneres, sur quoi responduz fust par toutz les Seigneurs Espirituels & Temporels ent, se veralement examinez dont les noms li ensuent que leur semble quil serroit

serroit mys en sauze garde & secre garde & en tiel lieu ou nul concours des Gentz y ad, & quil soit gardez par leurs & sufficientz perlonnes, & que null quad est familiar du dit nadgaires Roy soit aucunement entour sa persone & que ceo soit fait en la plus secret manere que sire se purra.

Les Noms des Seigneurs demandez & assentuz sur la Question suif dit cy ensuant, Cest assavoir,

A	Lercevesq; de Canterbirds. Lercevesq; Deverwick. Levesq; de Londres. Levesq; Dely. Levesq; de Nichol. Levesq; de Norwiz. Levesq; de Rouchestre. Levesq; de Sarum. Levesq; d'Excestre. Levesq; de Cicestre. Levesq; de St. Asaph. Levesq; de Cestre. Levesq; de St. David. Levesq; de Landaff. Levesq; de Durham. Labbe de Westminster. Labbe de St. Alban. Labbe de St. Austin. Labbe de Bury. Labbe de St. Mary Deverwick. Labbe de Gloucestre. Labbe de Battaile. Le Prince.	Le Sire de Roos. Le Sire de Grey de Ruthyn. Le Sire de Chelton. Le Sire de Bardolf. Le Sire de Willoyby. Le Sire de Furnivall. Le Sire de Ferrers. Le Sire de Beamont. Le Sire de Berkely. Le Sire fitz Wauter. Le Sire de Mauley. Le Sire de Scales. Le Sire de Morley. Le Sire de Burnell. Le Sire de Lovell. Le Sire de Camoys. Le Sire de Seymore. Le Sire de Crombwell. Le Sire de Cobham. Monsieur Henry Percy. Monsieur Richard Scrop. Le Sire fitz Hugh. Le Sire de Bergaveny. Le Sire de Lomley. Le Baron de Graystock. Le Baron de Hilton. Monsieur Thomas Erpingham Chamberlain. Monsieur Matthew Gurnay.
B		
C		
D	Le Duc Deverwick. Le Count de Arundell. Le Count de Warrwick. Le Count de Stafford. Le Count de Northumberland. Le Count de Suff. Le Count de Worcestre.	
E		

Henricus Dei Gratia Venerabili in Christo patri Thome eadem gratia Archiepiscopo Cantuar. totius Angliae Primati Salutem. Satis informati estis qualiter inimici nostri Francia & alii sibi adherentes facinora sua erga nos & liges nostros licet indirecte de Die in Diem circumquaque ostendentes cum magna Classe navium cum maxima multitudine armatorum & Bellicorum supra mare congregati diversas villas super Costeris Regni nostri Angliae invadere, ac nos & Regnum nostrum praedictum nec non populum nostrum per terram et per mare destruere, & Ecclesiam Anglicanam subvertere, cum omnibus viribus intendunt & proponunt, per quod volentes salvationi Discti Regni & populi nostri optulante Altissimo, providere, per diversas Commissiones assignavimus certos fideles nostros in singulis Comitibus regni nostri praedicti ad arraiandos & armari faciendos omnes homines defensibiles

N. 116.
Regist. A.
rundel parte
ima f. 590. b.

biles, videlicet, quemlibet eorum juxta statum & facultates suas, & eos arraiatos, armatos, & munitos in Arraiatione hujusmodi teneri faciendos, sicque semper prompti sint & parati ad proficiscendum in Defensionem Regni nostri prædicti, ubi, & quoties et quando ex hostium incursum periculum imminet, aut necesse fuerit aliquale. Advertentes quodque vos & ceteri prelati ac totus Clerus dicti Regni, una cum aliis fidelibus nostris ad resistendum dictis inimicis pro salvatione sanctæ Ecclesiæ et ejusdem Regni manus tenemini apponere adjutrices, vobis in fide quibus nobis tenemini firmiter injungimus et periculis imminetibus per aggressus inimicorum nostrorum prædictorum omnes Abbates, Priores, Religiosos, et alias personas Ecclesiasticas quascunque vestra Dioceseos, quacunque dilatione postposita, armari, arraiari, et armis competentibus, videlicet quemlibet eorum juxta statum, possessiones, et facultates suas muniri. Et eos in Millenis, Centenis, & Vintenis poni faciatis. Ita quod prompti sint & parati ad proficiscendum ad mandatum vestrum una cum aliis fidelibus nostris contra dictos inimicos nostros infra dictum Regnum nostrum ad ipsos cum Dei adjutorio debellandos, expugnandos, et destruendos, et ad eorum malitiam et proterviam propulsandam, et conterendam, et hoc sicut nos, et honorem nostrum ac vestrum et salvationem sanctæ Ecclesiæ et Regni nostri diligitis nullatenus omittatis.

Teste meipso apud Westmonast. 17. Die Januarii, Anno Regni nostri primo.

Confirmatio Treugarum inter Richardum Angliæ & Carolum Franciæ Reges.

N. 117.
in the Chapter
House at West-
minster.

Charles par la Grace de Dieu Roy de France, A tous ceulx qui ces presentes lettres verront, Salut. Comme l'an de grace Mil CCC. ^{xx}/_{iiii} et xvi vivant lors feust nostre tres chere et tres amez filz Richart nagueres Roy d'Engleterre que Dieu aboile, certaines Treves Generales eussent estre princes sur certaine forme entre nous d'une parte et nostre ditz filz d'autre, les queles Treves feurent solennelment jurees et promises a tenir d'une part et d'autre. Si comme es lettres sur ce faites est plus a plain contenue, Savoir faisons que nous qui en ce fait a tous autres voulons proceder de bonne foy n'entendismes oncques, ne entendons venir aucunement contre ce qui en ceste matiere avons promis & jure. Mais voulons tenir & faire tenir de nostre part sans enfreindre les dittes Treves leur Temps durant ainsi comme promis & jure l'avons. En Tesmoing de ce nous avons fait mettre a ces lettres nostre Seel. Donne a Paris le xxix jour de Janver. l'an de Grace Mil. CCC. ^{xx}/_{iiii} xix. Et le xx. de nostre Regne.

Par le Roy en son Conseil.

J. de Sanctis.

Wil.

William Eveſq; de Canturbirs baille avant une schedule en plein parlement contenant ces responſes a certaines Articles de luy demandez & en la forme & paroles qu'enſuient.

N. 118.
Rot. parl. 16.
Ric. 2. n. 20.

A nostre Treſdout Seigneur le Roy en cest present Parlement son humble Chappelein William Erceveſque de Canturbirs a la petition baillez en le dit Parlement par les Communes de Roialme en la quelle Petition ſont contenuz certaines Articles.

Cestaſſavoir, Primerement par la ou nostre Seigneur le Roy, & toutz ſes Lieges de vient du droit & ſoleient de tout temps purſuir en la Court meſme nostre Seigneur le Roy, pur recoverir leur presentmentz as Eglises, Provendes & autres Benefices de ſeint Eglise as queux ils ont droit a preſenter, la conſcience de plee de quele purſuite appartient ſoulement a Court meſme nostre Seigneur le Roy d'ancien droit de ſa Corone, uſe & approve en temps de toutz ſes progenitours Roys Dengleterre, & quant Juggement ſoit rendu en meſme ſa Court ſur tiel plee & purſuite les Erceveſque, Eveſques, & autres parloners eſpirituelles quont inſtitution de tiel benefice deinz leur Jurisdiction ſont tenuz & ont fait execution des tieux Juggements par mandement des Rois de tout le temps avantdit ſanz interruption quar autre Lay perſone ne poet tiel execution faire, & auxint ſont tenuz de droit de faire execution de pluſours autres mandementz nostre Seigneur le Roy, du quell droit la Corone Dengleterre ad eſte peiſſible meſme ſeſi ſi bien en temps nostre dit Seigneur le Roy come en temps de toutz ſes Progenitours tanque en cea mes, ore tard diverſes procesſes ſont faitz par le ſeint pier le Pape & cenſures diſcomengementz ſur certains Eveſques Dengleterre pur ceo quils ont fait execution des tieux mandementz en overte diſheritance de la dit Corone & destruction de la Regalie nostre dit Seigneur le Roy, ſay ley & tout ſon Roialme, ſi Remede ne ſoit mys. A ceste Article le dit Erceveſque ſelant proteſtation qu'il n'eſt pas ſa entention de dire ne affermer que nostre ſeint pier le Pape ne poet excomenger Eveſque ſolonc la Ley de ſeint Eglise, reſpoigne & dit, ſi aucuns Executions de procesſes ſoient faitz par aucune & cenſures diſcomengementz encontre aucunes Eveſques d'Engleterre, ou aucun autre Lige de Roy pur ceo quils ont fait execution de tieux mandementz il tient que ceo eſt contre le Roy, ſi come eſt tenuz en meſme la Petition, & pur tant il voet eſteer ove nostre dit Seigneur le Roy & ove ſa Corone en la cauſe avantdit a ſon poair, & auxint par la ou dit eſt & contenue en la dite petition que come clamour y ad que le dit ſeint pier le Pape ad ordeine & purpos de tranſlater aucuns prelates du meſme le Roialme, aucuns hors du Roialme. & aucuns d'une Eveſchee a autre deinz meſme ſanz aſſent & conſanz nostre Seigneur le Roy, & ſanz aſſent du Prelat que ſeroit enſi tranſlate, queux prelatz ſont molt profitables & neceſſaires a nostre Seigneur le Roy & tout ſon Roialme par que tranſlations ſils euſſent ſuffertez les Eſtatutz du Roialme ſeront

front defaitz & angutez & ses sages Lieges de son Conseil sanz on assent & encontre sa volunte fustretz & esloynnez hors de son Royalme & la voir & tresor du mesme le Royalme, seroit en porte et ensi mesme le Royalme destruit, sibien du conseil come de voir au finall destruction de mesme le Royalme, & ensi la Corone d'Engleterre qui est si frank de toutz temp, quele nad ceu nule terene Soverein mes immediat sulgit a Dieu en toutes choses touchantes Regalie de mesme la Corone, & a nule autre seroit submis a Pape & les Leyes & Estatutz du Royalme par luy defautz et anientiz a sa volunte en perpetuell destruction de la Sovereintie nostre Seigneur le Roy, la Corone et la Regalie et tout son Royalme que Dieu defend, le dit Ercevesque fessant protestation quil nest sa entention de dire ne affermer que nostre dit seint Pere ne poet faire translations des prelatz solonc la ley de seint Esglise, respoigne et dit qui si aucuns Executions de tielx translations soient faitz d'aucuns prelatz de mesme le Royalme queux Prelatz sont meulx profitables et necessaires a nostre dit Seigneur le Roy et a son Royalme fuisdit ou que ses Sages Liges de son Conseil sanz son assent et encontre sa volunte soient fustretz et esloignez hors du Royalme et le avoir et le tresor purroit estre destruit, le dit Ercevesque tient que ceo seroit contre le Roy et la Corone, et pur tant il voet estre ove le Roy en tel cas loyalment et sustenance de sa Corone et en toutz autres cas touchantz la Corone come il est tenuz par sa Ligeance et pria au Roy que la dite Cedula soit entre de Record en Roll de parlement, et le Roy lottroia.

N. 118.
Rendred in
Englisch.

William Archbishop of Canterbury brought a Schedule into a full Parliament containing his Anivers demanded to certain Articles, in the Form and Words following.

Rot. parl. 16.
Ric. 2. n. 20.

To our most redoubted Lord the King in this present Parliament his humble Chappellan William Archbishop of Canterbury, to the petition brought into Parliament by the Commons of the Kingdom, in which are contained certain Articles, that is to say, first, whereas our Lord the King, and all his Lieges ought of Right, and were wont in all times to proceed in the King's Court, to recover their Presentations to Churches, Prebendaries, and other Benefices of holy Church, to which they had right to present, the Cognisance of which Plea only belonged to that Court, by ancient Right of the Crown, used and approved in the Times of all the King's Progenitors, Kings of England, and when Judgment was given in that Court upon such Plea the Archbishops, Bishops, and other Persons Spiritual, who had Institution of such Benefices within their Jurisdiction were bound, and had made Execution of such Judgments by Command of the Kings for all the times aforesaid without interruption, for a lay Person could not make such Execution, and also are bound to make Execution of many other Commands of the King, of which Right the Crown of England had been in peaceable Possession, as well in this King's Time, as the Times of all his Progenitors, until this time. But of late diverse Processess have been made by the holy Father the Pope, and Censures and Excommunications published against certain English Bi-

Bishops, for that they have made Execution of such Commands in open Disheritance of the Crown, and Destruction of the King's Regalie, his Law, and his whole Realme, if Remedy be, not had.

To this Article the Archbishop making Protestation, that it was not his Intention to say or affirm, that our Holy Father, the Pope, could not Excommunicate a Bishop according to the Law of holy Church, answereth, and saith, that if any Execution or Processess, Censures, and Excommunications should be made by any Person against any Bishop of England, or any other of the Kings Lieges, because they made Execution of such Commands, he holds this is against the King, as it is holden or affirmed in the Petition, and therefore he will stand with the King, and with his Crown in the Case aforesaid, to his Power.

And also whereas it is said and contained in the same Petition, that Clamour hath been made, that the holy Father the Pope, had ordained and purposed to Translate some Bishops of the Kingdom, some out of the Kingdom, and some from one Church to another within, without the Assent and Knowledge of the King, and without the Assent of the Prelate, which was to be Translated, which Prelates were much profitable to the King, and his whole Kingdom, by which Translations if they be suffered, the Statutes of the Kingdom would be defeated and straightened, and the wise Lieges of his Council without their Assent, and against their Wills withdrawn and removed out of his Kingdom, and the Riches and Treasure thereof exported, whereby the Kingdom will be destitute of Council, and Wealth, to the final Destruction of the Kingdom, and also of the Crown of England, which was so free in all times, that it had no earthly Sovereign, but immediately subject to God, in all things touching the Regalie thereof, and to no other: Should it be submitted to the Pope, and the Laws and Statutes of the Kingdom by him be Defeated and Annulled at his Pleasure, it would be to the perpetual Destruction of the Kings Sovereignty, his Crown and Regalie, and of his whole Kingdom, which God forbid.

The said Archbishop making Protestation, that it is not his Intention to say or affirm, that our holy Father cannot make Translations of Prelates according to the Law of holy Church, answereth, and saith, That if any Executions of such Translations of any Prelates of the Kingdom were made, who were very profitable and necessary to the King and his Realm, or that the Sage Lieges of his Council, without his Assent, and against his Will, should be withdrawn or removed out of the Kingdom, whereby the Wealth and Treasure thereof might be destroyed; The said Archbishop holds this would be against the King, and his Crown, and therefore he will be with the King Loyally in this Case, and in Sustenance of his Crown, as he is bound by his Ligeance, and prayed the King this Cedula might

might be entered on Record in the Parliament Role, which the King granted.

N. 119.
Pat. 6. Ric. 2.
Part. 1. m. 31.

REX Cancellario & Procuratoribus Universitatis Oxonii, qui nunc sunt, vel qui pro tempore fuerint, Salutem. *Zelo fidei Christiane cuius sumus & semper esse volumus Defensores*, moti salubriter & inducti volentes summo desiderio impugnatores dicte fidei, qui suas pravas & perverlas doctrinas infra regnum nostrum Angliæ seminare, & dampnatas conclusiones eidem fidei notorie obviante tenere & predicare jam noviter pessime presumpserunt & conantur in perversionem Populi nostri, ut accepimus, antequam ulterius in suis procedant erroribus & maliciis, vel alios incendant reprimere & condignâ castigatione coercere. Assignavimus vos ad inquisitionem generalem assistentibus vobis omnibus theologis Universitatis predictæ regentibus faciendam, ab omnibus & singulis graduatis Theologis & Jurisconsultis Universitatis ejusdem, si quos de jurisdictione Universitatis illius agnovérunt qui sint eis probabiliter suspecti de favore, credentia vel defensione alicujus heresis vel erroris & maxime quarundam conclusionum, per venerabile patrem Wilhelmum Archiepiscopum Cantuariensem de consilio sui Cleri publice dampnatarum, vel etiam alicujus conclusionis alicui earundem consimilis in sententia vel in verbis, & si aliquos de cetero inveneritis qui quicquam predictorum heresum vel errorum vel quemcumque consimilem crediderint, foverint, seu defenderint, vel qui Magistros Johannem Wyclyf, Nicolaum Herford, Philippum Reppingdon, vel Johannem Aston, vel aliquem alium de aliquo predictorum heresum vel errorum seu alio simili, in verbis vel sententia probabili suspitione notatum, in domos & hospicia ausi fuerint receptare seu cum eorum aliquo communicare vel sibi defensionem aut favorem prebere presumpserint aliqualem ad hujusmodi fautores, receptatores, communicantes & Defensores infra septem dies, postquam præmissa vobis constituerit ab Universitate & Villa Oxonii banniendos & expellendos donec coram Archiepiscopo Cantuariensi pro tempore existente suam innocentiam manifestâ purgatione monstraverint. Ita tamen ut se purgare cogantur, ipsos tales esse nobis & eidem Archiepiscopo de tempore in tempus infra mensem sub Sigillis vestris certificetis. Mandantes insuper quod per Universas Aulas Universitatis predictæ diligenter inquiri & scrutari faciatis indilate si quis aliquem librum sive tractatum de editione vel compilatione predictorum Magistrorum, Johannis Wyclyf vel Nicolai habuerint, & quod librum illum, sive tractatum ubicunque contigerit inveniri, arrestari, capi, & prefato Archiepiscopo infra mensem absque correctione, corruptione, seu mutatione quacunque quo ad ejus sententiam vel verba presentari faciatis. Et ideo vobis in fide & ligeantia quibus nobis tenemini, & sub forisacturâ omnium singulorum, libertatum & privilegiorum Universitatis predictæ, & omnium aliorum que nobis forisfacere poteritis, injungimus & mandamus quod circa præmissa bene & fideliter exequenda diligenter intendatis & ea faciatis et exequamini in forma predicta

predictâ et quod prefato Archiepiscopo et ejus mandatis licitis et honestis vobis in hac parte dirigendis pareatis prout decet. Damus autem Vicecomiti et Majori Oxoniensi pro tempore existentibus ac universis et singulis Vicecomitibus, Majoribus, Ballivis, Ministris, et aliis fidelibus et subditis nostris tenore presentium in mandatis quod vobis in executione premissorum auxilientur, pareant et intendant. In cujus, &c. Teste Rege apud Westmonasterium tercio-decimo die Julii.

Per Consilium.

FINIS.